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THE ARCHBISHOPS  
OF ST ANDREWS

VOL. V.



# THE ARCHBISHOPS OF ST ANDREWS

VOL. V.

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THE present volume contains the life of John Hamilton, the last in the series of the old Roman Catholic Archbishops.

As in the previous volumes, the modern style of dating the year from January 1 is adopted.

Some addenda and corrigenda precede the index of names.

J. H.

R. K. H.

*November 1915.*



## CONTENTS.

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	PAGE
JOHN HAMILTON'S CAREER TO THE DEATH OF CARDINAL BEATON . . . . .	1
FROM 1546 TO 1554 AND THE FALL OF CHÂTELHERAULT	30
FROM 1554 TO THE REFORMATION . . . .	80
FROM 1560 TO THE ABDICATION OF MARY . .	137
LAST YEARS—1567 TO 1571 . . . .	210
APPENDIX . . . . .	245
ADDENDA AND CORRIGENDA . . . .	255
INDEX TO VOLS. I.-V. . . . .	257



## LIST OF ABBREVIATIONS.

A. D. C.	= Acts of the Lords of Council.
A. D. C. S.	= Acts of the Lords of Council and Session.
A. P.	= Acts of the Scottish Parliament.
Acts and Decrees	= Register of Acts and Decrees (Reg. Ho.).
Brady	= Brady's Episcopal Succession.
C. M. G.	= Correspondence of Mary of Guise (Reg. Ho.).
C. S. P.	= Calendar of Scottish Papers.
E. R. S.	= Epistolæ Regum Scotorum.
H.	= Letters and Papers of the reign of Henry VIII.
H. MSS. R.	= Reports of the Historical MSS. Commission.
Pasl. R.	= Register of Paisley.
R. M. S.	= Register of the Great Seal.
R. P. S.	= Register of the Privy Seal.
R. P. C.	= Register of the Privy Council.
Reg. of Deeds	= Register of Deeds (Reg. Ho.).
Reg. of Presentations	= Register of Presentations (Reg. Ho.).
State Papers	= Scottish State Papers (Reg. Ho.).



# THE ARCHBISHOPS OF ST ANDREWS.

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## VIII.

### JOHN HAMILTON.

SCOTLAND lost her most illustrious churchman and ablest statesman when David Beaton died. John Hamilton pursued the cardinal's policy, but had not the skill of the murdered prelate. Circumstances did not demand that he should guard the national independence with the steadfastness of James Beaton after Flodden, and the zeal of David Beaton after Solway Moss. He was, indeed, the Church's leader and the Regent's adviser when the Duke of Somerset won the battle of Pinkie; but Henry VIII. was dead and the schemes of overlordship had perished with him. To Hamilton, however, was given the task of preserving the Church, and for the

task he was not competent or not inclined. The Reformation was a revolution in which no man bestowed grace or glory on the old order passing away; and the last in the long line of the prelates of St Andrews neither fought as a hero nor died as a martyr. After the Protestant triumph Hamilton was a mere political intriguer, and at his execution there was no lament that a great man had gone from his country's service.

John Hamilton, who was born in the spring of 1512,<sup>1</sup> was the natural son of the first Earl of Arran,<sup>2</sup> and the brother of the man who in 1543 was made Governor of Scotland. His mother was a Mrs Boyd, "a gentlewoman of a very good family in Ayrshire."<sup>3</sup> In the note of his provision to the Abbey of Paisley he was designated John Burnet,<sup>4</sup> and Buchanan says he was "first callit cunyngame, estemit coowane, and

<sup>1</sup> On January 11, 1525, his age was thus stated, "annum adhuc agit decimum quartum" (cf. Lees' 'The Abbey of Paisley,' xxvi.), and in a document of May 18 the descriptive phrase was used, "in xv suae aetatis anno constituto." He obtained Paisley *in commendam* till his twenty-fifth year (Brady, i. 206). On February 3, 1536, he was still commendator, and on February 9 abbot (A. D. C. S.). Cardan, when calculating Hamilton's nativity, said he was born in Edinburgh at 10 in the morning on February 3, 1512 (Opera, v. 508).

<sup>2</sup> R. M. S., iii. 3265.

<sup>3</sup> Crawford's 'Officers of State,' 375.

<sup>4</sup> This may be a misreading of the name Hamilton in contracted form. The Bull styled him Hamilton (Dowden's 'The Bishops of Scotland,' 88, note).

syne avowit hamiltoun.”<sup>1</sup> These names are repeated in the ballad of “The Bischoppis lyfe and testament,”<sup>2</sup> while Knox asserts that Hamilton was by “many esteamed sone to the old Bischope of Dunkelden, called Crychtoun.”

The ballad, which represents the boy as spending many years at school and surpassing the other pupils, does not speak of his career at a university. Bishop Lesley says that he was “resident in the universities” of Paris;<sup>3</sup> while Crawford asserts that before going to Paris he studied at Glasgow,<sup>4</sup> though the records do not contain his name. He did go, however, to a Scottish university, and probably it was Archbishop Beaton who attracted him to St Andrews. By the marriage of the first Earl of Arran the Hamiltons and the Beatons were related, and the prelate had held the Abbey of Kilwinning, where the boy was nurtured. In 1528, John Hamilton, Abbot of Paisley, was enrolled in St Leonard's College; but beyond his matriculation nothing is known of his life in the University of St Andrews.<sup>5</sup>

<sup>1</sup> “Ane Admonitioun direct to the trew Lordis” (The Scot. Text Soc.), 30.

<sup>2</sup> The ballad is ascribed to Robert Sempill (cf. Sempill Ballates). Appendix I.

<sup>3</sup> ‘Hist. of Scotl.’ (Bannatyne Club), 172.

<sup>4</sup> ‘Officers of State,’ 376.

<sup>5</sup> Acta Rectorum (MS., St Andrews Univ.).

Hamilton, who is described in the documents as a monk of Kilwinning, was but a boy when his father, through the favour of the queen Margaret, obtained for him the great Abbey of Paisley. In 1524 efforts were made to advance Robert Shaw, the Abbot of Paisley, to the see of Moray. Shaw, who sought the help of Cardinal Wolsey, represented that James V. had written for the promotion of a son of the Earl of Arran; and he went on to say, "He being of tender age and bastard, our holy fader the pope deferris to promise me to the said bishoprick. Howbeit the impediments rising on the part of the said erles son ouch not to be reason to differ my cause."<sup>1</sup> Delay was dangerous to the interests of Shaw and Hamilton alike, and on January 11, 1525, a letter in the name of James V. was sent to Pope Clement VII. Describing Hamilton as the natural son of the Earl of Arran and specifying the boy's years as fourteen, the king desired the barriers of age and illegitimacy to be removed, so that the advancement to Paisley might be obtained.<sup>2</sup> James also asked Henry to solicit the Bulls of Moray and Paisley, and described Hamilton as "our louit orato(ur) Dene Jhonne . . . naturale son till our said cousing."<sup>3</sup> The

<sup>1</sup> Lees' 'The Abbey of Paisley,' 184. H., iv. i. 316.

<sup>2</sup> 'The Abbey of Paisley,' xxvi.

<sup>3</sup> Ibid., xxvii. H., iv. i. 1023.

queen Margaret, too, sent a communication to Henry on behalf of Shaw, and also of Hamilton, whom Magnus, the English resident at the Scottish Court, described as "a young thing."<sup>1</sup> In compliance with the request of James, Henry wrote to the pope;<sup>2</sup> and at last on May 17 or 18, 1525, the abbey was given to Hamilton *in commendam* till his twenty-fifth year, and thereafter *in titulum*. He was admitted to the temporalities in September, and in the following month Alexander Walcar acted for him in letting lands. For some reason Clement VII. intervened. In 1526 he appointed the Provost of the church of Hamilton to manage the temporalities till the commendator had reached his twenty-second year, which is the date specified for his abbacy in the record of this transaction.<sup>4</sup> Hamilton's public life began in 1535, when he attended a meeting of the Scottish parliament; and in the spring of the following year he apparently entered his twenty-fifth year and became Abbot of Paisley.<sup>5</sup> He took no

<sup>1</sup> H., iv. i. 1024. State Papers (Henry VIII.), iv. iv. cxv.

<sup>2</sup> 'The Abbey of Paisley,' xxix. H., iv. i. 1116. John Clerk on March 6 acknowledged receipt of Henry's letter ('The Abbey of Paisley,' xxix.).

<sup>3</sup> Brady, i. 206. Cf. Scots Peerage, iv. 362, note. Dowden, 'The Bishops of Scotland,' 88, note.

<sup>4</sup> R. P. S., i. 3353. Vatican Transcripts (Reg. Ho.), vol. iii. 'The Abbey of Paisley,' 187, cxli.

<sup>5</sup> Between Feb. 3 and 9 (A. D. C. S.).

active part in affairs, however, though in 1536 he was summoned to a convention in Edinburgh, in 1537 was required with other churchmen to make ready for "the king's coming home," and in 1540 was present in the parliament.<sup>1</sup> Lesley records, as has been noted, that the abbot was at the universities in France; and the Sempill ballad indicates that on account of his study of the Bible he was removed to that country, where he remained till the death of James V. Undoubtedly he left Scotland, but at his departure was beyond the usual age of the entrants into the universities. The report of Henry Ray, an English pursuivant, dated June 1541, shows that the Scottish king was pensive and sorrowful for the death of his sons, and that "the abbote of Paisley was sente into France from the king."<sup>2</sup> Arran was the heir to the Scottish crown, and James with his morbid feeling may have imagined that the Abbot of Paisley, as the evil genius of the house of Hamilton, had inspired a murderous plot against the royal children. Of the abbot's sojourn in France no details have been preserved. There is, however, a letter of April 9, 1543, written by Chapuys, the imperial ambassador at the English Court, which tells that a Scottish priest who had been sent to Rouen had "got out

<sup>1</sup> A. P. ; T. A., vi. 309, 312.

<sup>2</sup> Hamilton Papers, i. 70.

of France the brother of the Governor of Scotland and certain other gentlemen," and that passing through London they had been well received by the king.<sup>1</sup> Henry VIII. sided with the emperor in his quarrel with Francis I.; and, as it was suspected that the priest was in Rouen for other than spiritual purposes, he was prevented for a time from returning to England, and his detention was made the subject of official communications.<sup>2</sup> It is evident that Hamilton, if he fled or was exiled from Scotland, could not be received at the French Court; and his association with the priest suggests that he was trafficking with the enemies of France. Before leaving Scotland he probably favoured the English cause, as his brother was committed to Henry; and he promised, while in London, to labour for English interests, as soon as he went back to his own country.<sup>3</sup> In Scotland it was expected that he would declare for the Governor, who professed to be eager for a reformation of the Church;<sup>4</sup> and on April 2 Sadler informed the English Council that Arran was anxious for the abbot to be sent home, and, as some thought, would make him bishop of St Andrews.<sup>5</sup> Hamilton, however, had

<sup>1</sup> H., xviii. i. 390. Cf. Holinshed's 'Scottish Chronicle.' The abbot hired a small boat to convey his baggage to Scotland (H., xviii. i. 503). Appendix II.

<sup>2</sup> H., xviii. i. 354, 389.

<sup>3</sup> Spanish State Papers, vi. ii. 271.

<sup>4</sup> H., xviii. i. 348.

<sup>5</sup> Ibid., 355. Cf. 157.

left England before that date; and on April 9 the Governor told Sadler he would consult the abbot regarding the marriage of the English princess, and expressed his thanks for Henry's clemency to the Scots who had been in London.<sup>1</sup>

The reformers undoubtedly trusted that Hamilton would help their cause, though their expectations were to come to naught. John Knox, after narrating that the abbot and Master David Panter returned from France, says that "the brut of the learnyng of these two, and thare honest lyiff, and of thare fervencye and uprychtnes in religioun, was such, that great esperance thare was, that thare presence should haif bene comfortable to the Kirk of God. For it was constandlye affirmed of some, that without delay, the one and the other wald occupy the pulpete, and trewly preach Jesus Christ. But few dayis disclosed thair hypochrisye." Certain persecutions are noted, of which Knox declares that "these war the first fructis of the Abbot of Paisley his godlynes and learnyng." George Buchanan speaks of "the archbishop who during the life of the king was one of his confidential advisers and professed a love for the reformed religion."<sup>2</sup> Further proof of Hamilton's attachment to the cause of the reformers may be found in the words of Paget, Henry's minister

<sup>1</sup> H., xviii. i. 391.

<sup>2</sup> 'History,' xv. 65.

in France, who described the Scots as *generatio prava*, and made mention of their Governor, who with his brother had once favoured God's Word.<sup>1</sup>

On his elevation to the regency Arran showed that he was mindful of his brother's interests, as he raised him on January 10, 1543, to the office of Privy Seal, vacant through the transference of Cardinal Beaton to the Chancellorship.<sup>2</sup> Beaton, though he had intrigued for the regency, received from Arran the great Seal, and a few days after his appointment was sent to a prison. Governor by lawful title, Arran possessed supreme authority, and yet did not bring the cardinal to trial. With senseless imprudence he set hands on him, making an enemy of the man who could shatter his political schemes, and then had him moved from his prison to the castle of St Andrews. Helpless to govern by himself, he desired a conference at Edinburgh, if Beaton would attend. An invitation and not an order must be given, and the

<sup>1</sup> H., xx. ii. 984. Johnston (MS. in Advocates' Library) states that "the archbishop in the late king's lifetime made profession of the pure religion to those whom he most trusted" (cf. Pitcairn's Criminal Trials, i. i. 340). Row ('Hist. of the Kirk of Scotl.,' 31), who was sent to Rome as procurator for the see of St Andrews, says that Hamilton "first professed himself a protestant."

<sup>2</sup> R. P. S., xvii. 1. At the parliament of March 15 an Act of Council, passed in January, was ratified, bearing that precepts directed to Beaton as Privy Seal should be valid as if addressed to Hamilton.

Governor sent his brother to St Andrews.<sup>1</sup> The visit was a momentous incident in Hamilton's career. No one knows the words of the cunning cardinal or can say with what flattery he changed the abbot's purposes. Yet there is the notable fact that Hamilton, who was under promise to support the English party, broke away from it; and without doubt the cardinal was clever enough and persuasive enough to attract an ambitious churchman to his side. So early as April 19 Sadler reported that "ever since his brother, the Abbot of Paisley, came, the Governor is chiefly ruled by him (who is of the cast of France and the cardinal's great friend), so that when they decide the Governor one day the abbot changes him the next"; and shortly afterwards Sir George Douglas informed Henry that "the Abbot of Paisley hath been the only cause of the Governor's alteration, which abbot is all for France and the cardinal's great friend, and since his coming home the Governor hath been altogether ruled by him."<sup>2</sup>

Though there is no direct evidence to show how the cardinal won the abbot to his side, there were circumstances which suggest an appeal to personal interest. It seems that Arran, a few days after he was made Governor, subscribed a paper authorising a resignation by George, Bishop of Dunkeld, in favour of Robert

<sup>1</sup> H., xviii. i. 395.

<sup>2</sup> Ibid., 425, 448.

Crichton, Provost of St Giles, though in a letter to the Cardinal of Carpi the dowager implied that the consent was not freely given.<sup>1</sup> Cardinal Beaton probably approved the promotion of Crichton, whose family was connected with his own by marriage; but it may be conjectured that he was willing to withdraw his support and bestow it under conditions on Hamilton.<sup>2</sup> A month after his mission to St Andrews the abbot received his brother at Paisley,<sup>3</sup> and two days later the Governor addressed communications to Rome, requesting that no resignation of Dunkeld should take place without his authority.<sup>4</sup> It is most likely, then, that Beaton promised to help Hamilton, if Arran was wisely guided, and that the succession to Dunkeld was an important element in the involved diplomacy of the time.

Arran displayed no resentment when Hamilton was captivated by the cardinal, but commissioned him on occasion to act in his name; while the abbot, on the other hand, showed no subservience to England, and probably influenced the Governor in framing the parliament's answer to Henry's memorial regarding the marriage of the young queen.<sup>5</sup>

<sup>1</sup> E. R. S. (Elphinstone MS. (Reg. Ho.), 52).

<sup>2</sup> Rentale S. Andree (Scot. Hist. Soc.), 143. Dowden's 'The Bishops of Scotland,' 91, note.

<sup>3</sup> Liber Emptorum (Register House).

<sup>4</sup> H., xviii. i. 542, 543.

<sup>5</sup> Ibid., 592, 671.

Treaties between England and Scotland were arranged on August 25 ; and it was of importance, if they were to be observed, that the cardinal should be present at the signing. Though willing to attend at Stirling, he refused to enter Edinburgh without security for his safety ; and as pledges he named the Earl of Cassillis, the Abbot of Paisley, and Sir George Douglas. Eventually he declined to go to the capital, and the treaties were signed in his absence.<sup>1</sup>

In spite of the ignominious treatment which the cardinal suffered at the hands of the Governor and of the refusal to countenance the treaties, the two men were to be united in policy and joined in friendship. Hamilton, to whom the negotiation was due, saw his brother and his patron reconciled. On September 4 the Governor met the cardinal, and after the eventful interview they rode together to Stirling. The abbot, who had been with Arran, found his way to Linlithgow, from which he sent word to certain nobles that their forces were no longer required.<sup>2</sup> From Linlithgow he hastened to Edinburgh. It was necessary that he should see Sadler in order to explain or excuse the sudden revolt of the Governor, and at the same time assure him that all would concur

<sup>1</sup> H., xviii. i. 974.

<sup>2</sup> Ibid., ii. 127, 128, 132.

for the accomplishment of the treaties. Further, he had to pacify the Englishman, who was "inquieted through the lewdness of the people." The Scots had been roused on learning that some of their ships had been seized, and Sadler was Henry's representative. Diplomacy required, however, that Sadler should be appeased, and he was asked to ascribe his treatment "to the rudeness, ignorance, and beastliness of the common people."<sup>1</sup>

Important events took place at Stirling. With a dramatic display of penitence Arran acknowledged his sins and was absolved by Beaton. On the Sunday after the pious ceremony the queen was crowned. An advisory council for the Governor was appointed, of which Hamilton was a member; and with Lord Fleming he was delegated to announce to the Earl of Angus, the leader of the English party, that he also had been named for this council.<sup>2</sup> Later in September Hamilton was in touch with the Douglasses. After repeated discussions over the relations with England the dowager and the cardinal betook themselves to St Andrews, and Arran, alleging indisposition, promised to follow. Acting on the advice of Panter and Hamilton, he had an interview with Sir George Douglas at Dalkeith; and it might seem, but for Hamil-

<sup>1</sup> H., xviii. ii. 138. Vol. iv. 121.

<sup>2</sup> Ibid., 188.

ton's consent to the meeting, that the Douglasses were seeking to separate the Governor from the cardinal. It is more likely, on the other hand, since Angus had been nominated to the Council, that the Hamiltons were trying to persuade the Douglasses to leave the English party.<sup>1</sup>

The treaties between England and Scotland were signed, and one was a treaty of peace. The alliance, however, of the Governor and the cardinal destroyed Henry's plans, and the disturbance over the seizure of the ships aroused his fury. His enemies must be punished. In the opinion of the English Council, 8000 men might burn Edinburgh and overcome the Scots. Suffolk, a trained and cautious soldier, thought this force inadequate. But the Council pressed the question, "What were the practices with the Abbot of Paisley for the Castle of Edinburgh, with Sir George Douglas for Blackness, and with Angus for Tantallon, if the taking possession of them required a main army?"<sup>2</sup> The question showed that Hamilton was a deceiver or a traitor. Deception was a custom of diplomatists, and probably the abbot had made a pretence of fulfilling the promises given in London. He certainly entered into evil com-

<sup>1</sup> Letter of Moray, Sept. 30, to the dowager (C. M. G.). H., xviii. ii. 235.

<sup>2</sup> H., xviii. ii. 196.

pany, if he united with Angus and Douglas to deliver Scottish strongholds; but whatever may have been promised, he was in the closest intimacy with Arran and Beaton, and actually helped to secure the Castle of Edinburgh. It appears that the captain would not hand it over to the Governor; and, according to Lesley, "be the counsall and manheid of the Abbot of Paisley, his broder, thay twa enterit thairintill with ane few numbres, and being within, interprised courageouslie aganis the capitane and keparis thairof, and behaved thame selfiss so stoutlye, that the castell was randerit to the Governour and the laird of Stanehouse, callit Hammiltown, maide capitane thairof."<sup>1</sup> If Henry was to take revenge on Scotland the Abbot of Paisley was not to be a traitor. Nau, the secretary of Mary Stewart, writing many years after the event, narrated that "*le chasteau d'Edanbrough fust vers ce temps surpris sur Piere Chreiton par la pratique de l'abbé de Pesley, frère du Régent, lequel y estant entré soubz prétexte d'amitié et conférence s'y rendist le plus fort.*"<sup>2</sup>

An incident at the beginning of November showed very clearly that Hamilton was not acting with the English party. The Lords Maxwell

<sup>1</sup> 'Hist. of Scotl.,' 174.

<sup>2</sup> Stevenson's 'Memoirs of Mary Queen of Scots,' 312.

and Somerville, as messengers of that party, were about to proceed to Henry's court when they were seized in Edinburgh. According to one story, the Abbot of Paisley arrived in the city with sixty horse; and having desired Maxwell and Somerville to speak with him, walked with them in the High Street, where, at the Castle Hill, they were arrested by a serjeant-at-arms. In another story with more details, it is shown that "the abbot of Paisley with 60 men in red bonnets, with steel bonnets under their cloaks, came to Maxwell's house, where Somerville and 30 of his servants were; and Maxwell came down the stair to the abbot, and walked up the street to the Castle, where was a company of 80 more. Seeing these Somerville said to Maxwell 'Treason! we are betrayed, let us help ourself'; but Maxwell answered 'I will not disobey the queen's authority.' A serjeant at arms then arrested them."<sup>1</sup> Whatever may have been the circumstances of the arrest, Hamilton's share in it demonstrated that he had not betrayed the patriotic cause, for which the Governor and the cardinal had united; and there is no doubt that "the English lords" recognised him as their enemy, since they proposed to deprive the Governor, put down the cardinal, and, in order to annoy their opponents,

<sup>1</sup> H., xviii. ii. 328, 349. Cf. Diurn. of Occurrents, 29.

begin by "taking the abbey of Paisley and burning the Governor's town of Hamilton."<sup>1</sup>

After raising his brother to the office of Privy Seal, Arran continued his favours, and there was no sign that he suspected treachery. Among his gifts were the relief of the lands of the late John, Lord Hay of Yester, a non-entry of other lands, and the ward of Hamilton of Finnart.<sup>2</sup> A more substantial honour was conferred when, on August 13, in succession to James Kirkcaldy of Grange, the abbot was chosen to be Lord Treasurer, with permission to retain the Privy Seal.<sup>3</sup> Lesley records that the abbot, soon after his coming, was made Treasurer, and was "ane worthy counsallour to his broder, and ane stoute, readie, vailyeant captayne for defence of the realme aganis the Inglismen at all tymes."<sup>4</sup>

The mission of Somerville and Maxwell showed that the "English lords" were still intriguing, and it was necessary for the Governor and the cardinal to take action. After an attack on the strongholds of the Douglasses, who were the leaders,<sup>5</sup> they went to Fife and Angus "to do some exploit," and with them was the Abbot of Paisley.<sup>6</sup> The contest for the mastery of Scot-

<sup>1</sup> H., xviii. ii. 483.

<sup>2</sup> R. P. S., xvii. 66, 67 ; xviii. 106.

<sup>3</sup> T. A., viii. 194, 195.

<sup>4</sup> 'Hist. of Scotl.,' 173. Cf. Balfour's 'Annals,' i. 278.

<sup>5</sup> Vol. iv. 132.

<sup>6</sup> Ibid., 133. Knox, i. 115.

land, however, was not to be left to the factions. Henry had talked of revenge after the revolt of Arran, but no army had been collected. He judged, however, that his honour was wounded when the Scottish parliament in December, 1543, declared the treaties at an end, and he determined to make war. A strong force was gathered and the command given to Hertford. The hope of the Governor and the cardinal lay in help from France. At the promise of danger, however, the Scottish factions united at the beginning of 1544, and yet treachery was not dead. Hertford tried to persuade the Douglasses to deliver certain strongholds; and, evidently suspecting them, the Governor and the cardinal required them to hand over Tantallon to the Abbot of Paisley. With scorn Hertford wrote to the Douglasses that if they could hold the castle against the abbot for eight days he would relieve them in spite of the Governor, the cardinal, and all the power of Scotland.<sup>1</sup> Lennox, too, was trafficking with the English, and early in May sent word to Hertford that he had taken the abbey of Paisley.<sup>2</sup> The abbey was Hamilton's residence, and there from time to time the Governor was a guest.<sup>3</sup>

<sup>1</sup> H., xix. i. 414.

<sup>2</sup> Ibid., 143, 510.

<sup>3</sup> Hist. MSS. R., iv. 488. Arran spent Whitsunday there in 1543 and 1545, and paid visits on Sept. 2 and Oct. 16, 1544 (MS. Liber Emptorum and Liber Domicilii in Register House).

At the beginning of May 1544 Hertford appeared in the Forth, and immediately the work of destruction was begun. "The like devastation," he himself said, "had not been made in Scotland these many years." Towns and villages were burnt, and not a few men were killed or made prisoners; but there was no great battle to test the strength of the two nations.<sup>1</sup> By Henry's machinations the factions were once more set against each other, and a futile effort was made to suspend Arran from his office. At last, however, even the Douglasses for their own safety were forced to make common cause with the Governor and the cardinal; and a meeting of the Council in November showed that enemies had been reconciled. The Governor presided. On his right were the cardinal, the Archbishop of Glasgow, and other ecclesiastics: on his left Angus, Bothwell, Crawford, Cassillis, and Glencairn. The Abbot of Paisley "going after the Counsaill" was seated in front of the Governor.<sup>2</sup>

Hamilton, in the days of danger, did not confine himself to his work as Privy Seal, Lord Treasurer, and Abbot. On January 2, 1545, the Lord Warden of the East Marches sent out forty men from Berwick who were met by

<sup>1</sup> The infant queen seems to have been bestowed for safety at Dunkeld (H., xix. i. 510), the temporality of which had been given to Hamilton in January (*infra*).

<sup>2</sup> H., xix. ii. 709.

John of Clydesdale, Patrick Hume, and the Abbot of Paisley with 500 or 600 men, well horsed; and these "returned back again or they came nigh Berwick Bounds by 10 miles by reason they did see a great number of persons before them, supposing they had been men of war and they were but corn gatherers, &c." <sup>1</sup>

The victory at Ancrum Moor in February 1545 gave the Scots hope that Henry would desist from war, especially as he was engaged with the French. Undoubtedly he desired peace, but he showed that the terms must be his own, when he commissioned Cassillis to seek a renewal of the treaties.<sup>2</sup> The dowager and the cardinal, on the other hand, were opposed to the English marriage, and were determined to uphold the French alliance. At last, towards the end of May, a French force under Lorges de Montgomery was sent to help the Scots. Certain lords, of whom Hamilton was one, were appointed to advise the Governor;<sup>3</sup> and when the preparations were completed a great army assembled on August 9 and crossed the Border. Treachery made havoc of the campaign. It is recorded that "upon the 13th day of August the Scottish men came home through the deceit

<sup>1</sup> H., xxi. i. 1279.

<sup>2</sup> Vol. iv. 165. Hamilton signed the protection for Cassillis (H., xxi. i. 401).

<sup>3</sup> H., xxi. i. 1002.

of George Douglas and the vanguard"; and Angus did not hesitate to claim credit for his base action.<sup>1</sup>

The ignominious failure of the attack on England, and the destruction thereafter wrought by Hertford, produced the natural reaction against the French party. Henry's reckless policy certainly did not bring nearer the English marriage; but, on the other hand, the plans of Beaton, the dowager and Lorges, left the Scots convinced that once again they were being sacrificed to the French. The Hamiltons, for their part, were not slow to take advantage of the situation, and at the parliament held on October 1 a new scheme was suggested, presenting an attractive prospect for their house. The Abbot of Paisley took no overt action, but it is hard to believe that he was not involved in the adroit design which was not relinquished until the marriage of the queen was settled. Fortunately for the Governor, the lands of Lennox had been forfeited to the Crown, and these could be used as gifts. Huntly received a promise that a Gordon would be bishop of Caithness; and he, in turn, obliged himself to vote that, as Henry's purpose was "to mak this realme and liegis

<sup>1</sup> Vol. iv. 176. The cardinal advanced £600 for taking artillery to and from the Border, and the money was repaid by "my Lord of Paisley" out of a tax (*ibid.*, 177).

therof thrallis to him and his successouris," Mary should be wedded to none other than a son of the Governor.<sup>1</sup> The majority of the lords spiritual and temporal assented, putting their names to a document, but it was not signed by the Douglasses and Somerville.<sup>2</sup> Beaton and the dowager acquiesced in the arrangement, which they must have disliked; and Beaton urged that the young queen should be placed under his charge. To Arran he could represent that Mary was to be carefully guarded in the interest of the Hamiltons. If necessary, she might be sent to France.<sup>3</sup>

At the beginning of 1546 the state of international politics favoured the ambition of the Hamiltons. The French were too preoccupied to give Scotland effective support; and Henry, though no longer free to carry on a war, continued to foster intrigue. Thus were the Hamiltons enabled to press their scheme, and at the same time to appear as patriots.

Henry's tactics were not worthy of a man in his great position.<sup>4</sup> On May 29, 1546, Beaton was slain in his castle of St Andrews, and

<sup>1</sup> Diurn. of Occurr.; A. P.; R. M. S.; State Papers (Register House).

<sup>2</sup> H., xx. ii. 622, 1018; letter of John Somerville, Oct. 21 (C. M. G.)

<sup>3</sup> H., xx. ii. 535.

<sup>4</sup> By Henry's plan Lennox was introduced into Scotland, and the cardinal's murder almost coincided with the arrival of Robert Stewart as his brother's forerunner (H., xxi. i. 958).

among the murderers were Scots who had sold themselves to the King of England.<sup>1</sup> Under the cardinal's influence the Governor had laboured for the independence of the realm, though before their alliance he dared, in obedience to Henry or "the English lords," to imprison the man he professed to hate most in the world. But John Hamilton had brought his brother and his patron to friendship, and till the murder of the great prelate Arran was faithful to the interests of his country and the traditions of the Church.

The Governor, by whose patronage Hamilton had obtained the offices of Privy Seal and Treasurer, sought in 1544, when at last the see was vacant, to advance him to Dunkeld. In the letter to the Cardinal of Carpi, dated January 13, 1543, the dowager spoke of the resignation of George of Dunkeld and the succession of Crichton, Provost of St Giles. She added, "you must know that the Governor has been a party to these arrangements as will appear from the subscription to this letter."<sup>2</sup> On May 14, after the return of the abbot of Paisley and his meeting with the cardinal, the Governor represented to Paul III. and Carpi that he was no longer favourable to the Provost of St

<sup>1</sup> Vol. iv. 202 ff.

<sup>2</sup> E. R. S. (Elphinstone M.S. (Reg. Ho.), 52).

Giles; and in the following month he asked the pope to withstand Crichton, who had secured the resignation of the bishop without letters of commendation from him to whom the kingly offices pertained.<sup>1</sup> Towards the end of the year the Governor again approached the pope, requesting him to repel any suit from Dunkeld, and on January 24, 1544, when the aged bishop was dead, a letter was written in the young queen's name, soliciting the see for Hamilton, with retention of Paisley, since it was fitting that religion should "be supported not only with dignity but with substance and riches."<sup>2</sup> In spite of Arran's endeavours the bishopric was given to Crichton on March 17, 1544;<sup>3</sup> but he was not allowed to take possession, and on June 8 the Governor named James "brother of the present Abbot John" for Paisley.<sup>4</sup> The Treasurer's account of August 22 made mention of "the resignation of Paisley to Master James Hamilton, his Grace's brother."<sup>5</sup> The news of Crichton's success served only to strengthen Arran's resolve, as on June 17 he urged that Hamilton should instantly be ap-

<sup>1</sup> H., xviii. i. 542, 543, 801.

<sup>2</sup> Ibid., ii. 477; xix. i. 57. E. R. S. The Treasurer's account for January shows the payment to Forester towards his journey to St Peter's for my Lord of Paisley, at the Governor's command. The temporalities were given to Hamilton on January 20, 1544 (R. P. S., xviii. 24).

<sup>3</sup> Eubel, iii. 205.

<sup>4</sup> H., xix. i. 645.

<sup>5</sup> T. A., viii. 312.

pointed, and that the unjust competitor, who had trusted to letters fraudulently obtained, should be repelled.<sup>1</sup> Yet Hamilton was not at once promoted, and the Governor in another communication to Rome showed that as his brother was vigilant against the enemies of the state, he had named him for Dunkeld.<sup>2</sup> Cardinal Beaton now intervened. Writing to Carpi and, later, to Paul III., he advised in regard to the Scottish prelacies that the pope should take account only of Arran's nominations.<sup>3</sup> Once more the young queen's name was used. On December 5, she represented to the pope that Dunkeld had been vacant for almost a year, and that, though she had commended the Abbot of Paisley, she understood the expedition was deferred. The delay, she said, must be due to the importunities of some to whom it was not enough that the realm should be harassed by war without and factions within; and yet all with her were assured that under the pope the privileges of the realm would remain inviolate. She declared that it would make for quiet if Hamilton, a man of singular wisdom, were soon given to the rude and wild people among whom the see was situated. At the same time the queen wrote to Carpi, setting

<sup>1</sup> H., xix. i. 723.

<sup>2</sup> Ibid., ii. 428.

<sup>3</sup> E. R. S. (Elphinstone MS., 107, 110).

forth that most of the prelacies were founded by her ancestors, who had a year granted by the Holy See in which to make nominations, and declaring her belief that the pope would not now permit that right to be infringed, when she was but two years old.<sup>1</sup> At last on December 17, 1544, before the queen's letters could have been received, Hamilton was provided to Dunkeld, but two pensions were made charges on the revenue.<sup>2</sup> Carpi explained that Paul III. had acted under constraint of a promise, made evidently to Crichton; and Arran replied that Pope Clement VII. had renewed the indulgence to the Kings and Governors of Scotland, giving them twelve months in which to make nominations to all elective benefices.<sup>3</sup> On another occasion Arran asserted that he was concerned not so much with his brother's position as with the royal prerogative.<sup>4</sup>

But the case was not at an end. On January 8, 1546, a commission of cardinals was appointed to make investigations, and it may be conjectured that Crichton had lodged an interdict.<sup>5</sup> The records show that he was required on July 31 to answer for impetration, and that he tendered the plea that he had a licence which had been

<sup>1</sup> H., xix. ii. 710, 711.

<sup>2</sup> Ibid., 759.

<sup>3</sup> H., xx. i. 179. Clement extended to twelve months the eight months granted by Innocent VIII.

<sup>4</sup> E. R. S. (Elphinstone MS., 83).

<sup>5</sup> H., xxi. i. 34.

sent to Rome.<sup>1</sup> In presence of the parliament, August 7, he denied that he had a decree of the pope and certain cardinals "in a matter between him and the Abbot of Paisley";<sup>2</sup> and at a later stage the Governor invited the Lords Spiritual to require Crichton to produce a pretended decree of the papal commissioners, which might be found to infringe the queen's prerogative. They refused, however, to place themselves in opposition to Rome. The queen's advocate then came forward and represented that, according to her privilege of nomination to benefices and with the consent of the Governor, she had named John, Abbot of Paisley, for Dunkeld. He showed that the pope had granted bulls in favour of the abbot, that Crichton had prevented their delivery, and that the papal commissioners had decreed they should not be used, unless Crichton was promoted to Ross. Further, he intimated that by the queen's decision Ross was to be given to her secretary, David Panter. Thereupon the Estates declared that the commissioners' decree was prejudicial to the royal interests, and that Crichton or any other who made use of it would be liable to the penalties imposed on purchasers of benefices at Rome.<sup>3</sup> It is not known whether the decisions of the parliament were intimated to the pope, but at

<sup>1</sup> A. D. C. S.<sup>2</sup> A. P. ; H., xxi. i. 1431.<sup>3</sup> A. P.

last, on August 22, 1546, Hamilton was consecrated.<sup>1</sup>

Two days after Beaton's death the temporality of St Andrews was given to Hamilton.<sup>2</sup> His relation with the Governor naturally led him to look for promotion, and he seemed destined for the primacy. Expectations, however, had to be postponed to the settlement of the Dunkeld succession, which involved the rights of the crown against the papacy. Whatever the occasion may have been, Hamilton was legitimated on June 20, by royal letters.<sup>3</sup>

Hamilton's resignation of Paisley, though suggested in the course of the Dunkeld proceedings, was not carried out; and in 1545 steps were taken to secure the safety of the abbey and its possessions, which, in the disturbed state of the country, was in danger from Glencairn and Bothwell. The Master of Sempill, the son of a powerful noble of the district, consented to act as bailie and justiciary over the abbey lands. In the charter of appointment the abbot alleges that "in these days the wickedness of

<sup>1</sup> *Liber Domicillii* (Register House). Crichton succeeded Hamilton in Dunkeld, but was not admitted till 1554, owing to the Governor's support of Donald, Abbot of Cupar. He continued to maintain that there was a licence at Rome (Acts and Decrees, August 25, 1553. Cf. Dowden's 'The Bishops of Scotland,' 91, 92).

<sup>2</sup> R. P. S., xx. 22. Hamilton as Treasurer charged himself with a composition of £1400. (T. A., ix. 17.)

<sup>3</sup> R. M. S., iii. 3265.

men so increases that nothing gives them greater delight than to invade the possessions of the monks and to overturn their monasteries, nor had we ourselves been saved from that disaster but by the aid and assistance of that noble man, Robert Sempill, master of the same, son and apparent heir to William Lord Sempill. The same master bravely defended us not only from the madness of heretics, but also from the insults of most powerful tyrants, and unless he continues to defend us by his arms, friends, counsel and assistance, without doubt nothing will soon be saved to us." Lord Sempill also agreed to give aid, if necessary, for the conservation of the lands and revenues of the abbey.<sup>1</sup>

<sup>1</sup> Pals. R. Append., pp. 2, 6. 'Abbey of Paisley,' 190.

## 1546-1554.

FOR the Hamiltons the death of the cardinal was not wholly a misfortune.<sup>1</sup> Knox cynically states that "the Bischope to declair the zeall that he had to revenge the death of him that was his predecessour still blew the coallis; and yit for his wishe he wold nott haif had him leaving agane." John Hamilton's way to the primacy was opened, as Huntly's to the chancellorship.<sup>2</sup> Arran no longer feared that his legitimacy would be questioned,<sup>3</sup> and he saw the dowager deprived of her astute ally. Arbroath was vacant; and the Governor, who had approved the cardinal's resignation of the abbey in favour of James Beaton, now supported a Douglas.<sup>4</sup> Thus, according to Knox, he secured the vote of Angus for the siege of St Andrews Castle.

<sup>1</sup> H., xxi. i. 948. Arran's men were said to be well content, and James Forrester, whose satisfaction is mentioned, was a vice-treasurer (C. S. P., i. 1).

<sup>2</sup> R. P. C., i. 26.

<sup>3</sup> Vol. iv. 107.

Ibid., 233. H., xxi. ii. 277, 278.

A treaty was concluded, June 7, 1546, between France and England, with the comprehension of Scotland. It soon became evident, however, that Henry would insist on the renewal of the marriage agreement, and that the strife of the factions was not at an end. The opposition of Lennox in the west seemed to be the immediate menace; and, after the Douglasses on June 11 had renounced all bonds with Henry, the Governor, aided by his brother, proceeded confidently against Dumbarton. At the end of July, two weeks after the surrender of Dumbarton,<sup>1</sup> negotiations were opened with the defenders of St Andrews Castle. The object of the Hamiltons was to obtain the place and secure the Governor's son without an appeal to force. A summons of treason was proclaimed on July 30 against the holders of the castle.<sup>2</sup> The churchmen, too, desired peace, as they were disinclined, after the exhausting years of the cardinal's rule, to incur new financial burdens. On August 9, the Archbishop of Glasgow consented to a remission of the culprits, if a papal absolution could be got; but the chancellor protested that the remission should be conditional upon the surrender of the castle and the delivery of Arran's son.<sup>3</sup> John Hamilton, Ruthven, and

<sup>1</sup> July 14 (A. D. C. S.); T. A., viii, 470; A. P.

<sup>2</sup> R. P. C., i. 31; A. P.

<sup>3</sup> A. P.

Sir George Douglas were sent to St Andrews with a blank remission under the Great Seal; and when they returned without success and on August 14 appeared in the parliament, it became evident that a siege must be begun. After Archbishop Dunbar had protested on behalf of his estate that he condescended "nother to blude nor tinsale of livis," the churchmen voted half of a tax of £12,000. It was resolved that Henry should be asked not to "thole" the murderers; and, further, in order "that his grace be nocht destitute of guid consolatioun," that Arran's son should be deprived of all rights of succession, even in regard to the crown, so long as he remained in the hands of enemies of the realm.<sup>1</sup> On August 24, two days after his consecration, the Bishop of Dunkeld attended a meeting of the Council, at which it appeared that the majority of the churchmen were ready to invoke the secular arm against any of their order who refused to pay their contributions.<sup>2</sup>

It is most probable that at first the bishop advocated leniency to the inmates of the castle, as the Hamiltons had everything to gain from peace. The French ambassador at the English court, in a letter of May 9, 1547, told how Hamilton was said to be inclined to the new opinions touching the faith, and had favoured

<sup>1</sup> A. P.

<sup>2</sup> A. D. C. S.

the prisoners in St Andrews, saving them from punishment.<sup>1</sup> Yet when force became necessary Hamilton would certainly see that it must be effective, and his energy may account for the prominence which Knox gives him in connection with the operations.

In the hope of keeping England passive till the rebels were crushed, the Governor arranged to send the Bishop of Dunkeld to the court of Henry. On August 30 a request for a passport was lodged, and as early as September 3 one of the foreign residents in England reported that a safe-conduct was to be issued for "the Scottish Privy Seal, a great master and a secretary, to come with a train of 50 horsemen to treat for peace."<sup>2</sup> A rumour spread, however, that an English fleet was on the sea, and as Hamilton was Treasurer, he remained in Scotland.<sup>3</sup> Nevertheless the Council resolved on October 2 that commissioners, led by David Panter, should cross the Border to offer acceptance of the inclusion of Scotland in the recent treaty.<sup>4</sup> On November 27 there was a stormy meeting between the Scottish envoys and the English

<sup>1</sup> Correspondence Politique de Odet de Selve, 143.

<sup>2</sup> H., xxi. i. 1527; ii. 14. The office of Privy Seal was vacated after the promotion to Dunkeld (Crawford's 'Officers of State,' 376).

<sup>3</sup> T. A., viii. 480.

<sup>4</sup> R. P. C., i. 43. H., xxi. ii. 380. On October 25 Hamilton sent close writings to Panter at Berwick (T. A., ix. 31).

Council, in presence of the French and Imperial residents; and the English concluded, not without justice, that the object of the Scots was to gain time.<sup>1</sup> Meanwhile the siege of St Andrews was continued without success. The city itself was the judicial and administrative centre of the kingdom, and the Bishop of Dunkeld was assiduous at the Council and the Session. As Christmas approached it became evident that the blockade was ineffective, and the Council entered into what Knox calls the "coloured appointment" to prevent the inmates from handing over the castle to the English.<sup>2</sup> At the same time opinion was in favour of an alliance with France; and Hamilton, as in the case of the embassy to Henry, seems to have been the envoy named. Eventually the mission was entrusted to John Hay, a nephew of the deceased cardinal, while the dowager, for her own purposes, sent the Abbot of Dryburgh.<sup>3</sup>

In the diplomacy of this period three schemes of marriage for the queen were discussed. There was the union with Edward of England; the Hamiltons had their own plan; and the French, who desired to form a league against Henry,

<sup>1</sup> H., xxi. ii. 455.

<sup>2</sup> R. P. C., i. 57. H., xxi. ii. 695.

<sup>3</sup> H., xxi. ii. 695. The envoys sailing in the *Lyon* were taken by the English (C. S. P., i. 15, 18).

suggested a marriage treaty between Scotland and Denmark.<sup>1</sup> A Danish ambassador visited Scotland in December, and there was said to be great discord over his proposals.<sup>2</sup> The Hamiltons were strongly opposed to these proposals, and at the same time were eager to turn the French king to their own plan, while the dowager by sending the Abbot of Dryburgh to France doubtless hoped to thwart them.

The Scottish Government expected that with the death of Henry VIII., which occurred in January, 1547, the English interference in their national affairs would cease, and they judged the time opportune for Hamilton to visit England and France. A safe-conduct was asked for John, Bishop of Dunkeld, "evil vexed with infirmity and continual sickness, to pass through England."<sup>3</sup> Stewart of Cardonald, a Scot in the English pay, reported that there was disagreement between the dowager and the Governor regarding the custody of the queen. Hamilton was setting out to obtain the French king's consent to Arran's plans, and for himself the red hat and the bishopric of Mirepoix. Further, Hamilton was to sail from Dumbarton, though, for the purpose of misleading enemies, a vessel was prepared at Leith; and Stewart advised the

<sup>1</sup> Engl. Hist. Rev., 1907, p. 43.

<sup>2</sup> H., xxi. ii. 600.

<sup>3</sup> C S. P. i. 5.

English to waylay him. He went on to say that the churchmen had given the Governor £10,000 Scots for making certain articles and acts "agayne the New Testament."<sup>1</sup> But once more the affair of St Andrews Castle intervened to alter the bishop's plans. By April 2 the papal absolution had arrived, and on April 8 a copy was sent to St Andrews.<sup>2</sup> The insurgents decided, nevertheless, to continue resistance, and at this juncture news of the death of Francis I. reached Scotland. At the end of the month Archbishop Dunbar died, and the Bishop of Dunkeld became the undisputed leader of the Spiritual Estate.<sup>3</sup>

After the death of Henry VIII. the Protector Somerset showed no signs of leaving Scotland to work out her own political destiny. He desired peace, but he also desired the marriage of the young queen with his nephew, Edward VI. The Scots, however, could not forget the schemes of Henry VIII. which menaced their independence, and throughout the month of May the Bishop of Dunkeld was busy with preparations against an English invasion.<sup>4</sup> Yet he found opportunity to act as if the diocese of St

<sup>1</sup> C. S. P., i. 10.

<sup>2</sup> T. A., ix. 69.

<sup>3</sup> Dowden, 'The Bishops of Scotland,' 345. Alexander Gordon, afterwards known as Archbishop of Athens, lost the archbishopric of Glasgow through John Hamilton (Wodrow, Biogr. Col., i. ii. 475).

<sup>4</sup> T. A., ix. 76, 77.

Andrews was under his authority. He had been present at the General Convention which on March 18 had called upon the Governor and the Council to enforce the laws against the Lutherans, who were openly preaching their heresies and were to be found in the court itself.<sup>1</sup> Shortly after the convention John Knox, "weareid of removing from place to place be reassone of the persecutioun that came upoun him by this Bischope of Sanctandrois," found a refuge with the party in the castle. Whereupon, Knox relates, "the bastard Bischope, who yit was not execrated (consecrated thei call it) wrait to the suppriour of Sanctandrois, who (sede vacante) was Vicare Generall, that he wondered that he suffered sic hereticall and schismaticall doctrin to be tawght, and not to oppone him self to the same." A conference was held under the subprior, and after it "the Papistes nor Frearis had not great heart of farther disputioun or reassonyng." Knox admits that the policy of some was "to provide bettir defenses then fyre and sweard," but does not say whether the subprior and the official, with their "sermones penned to offend no man," were following Hamilton's advice or were merely acting from prudence.

Towards the end of June another effort was

<sup>1</sup> Robertson's 'Statuta,' i. 146.

made to procure a voluntary surrender of the castle, and an absolution "as sent from Rome" was offered.<sup>1</sup> But the defenders were more than ever committed to resistance, and counted on an English rescue. Fortunately for the cause of the Governor, the French sent a fleet of twenty galleys to St Andrews Bay, and at last, on July 31, 1547, after attacks by land and sea, the castle was surrendered.<sup>2</sup>

The fall of this stronghold did not divert Somerset from his purpose of invasion. Scotland was again to be plunged into war. The proceedings at a meeting of the Privy Council on July 1 reveal a financial strain and suggest one reason for the growing unpopularity of the churchmen. A tax of £35,000 had been imposed, £15,000 of which the clergy were to contribute. Some of the clergy exacted a relief from their tenants; and with certain temporal lords, guilty of the same oppressive action, they were summarily reprimanded.<sup>3</sup> Hamilton as Treasurer must have seen the difficulty of meeting the expenses of a war, and, at the same time, as the leader of the Clerical Estate,

<sup>1</sup> Knox, i. 203.

<sup>2</sup> The *Liber Domicilii* gives the date as July 30. After his elevation to the archbishopric Hamilton repaired the front wall of the castle. A date over the gate seems to be 1555, and probably marked the completion of the work.

<sup>3</sup> R. P. C., i. 75.

must have appreciated the danger to the Church of alienating popular sympathy.

Somerset issued a proclamation on September 2, in which he stated that he intended not to menace Scottish freedom but to force an accomplishment of the vexed agreement made in 1543, and a few days later he entered Scotland.<sup>1</sup> Knox makes reference to a letter directed by Somerset to the Governor and Council, and asserts that it fell into the hands of Hamilton, who decided that it would not be to his advantage to divulge it. According to another version of the story, Somerset wrote to Arran offering to leave the country, provided the Scots agreed to keep the queen in her own land till she could determine her marriage for herself; and Arran, interpreting the communication as a sign of weakness, arranged with his brother that they should spread the report that they had received insulting proposals.<sup>2</sup> Buchanan asserts that the Governor chose four advisers, including his brother, and that none of them knew anything of military affairs; while Knox narrates that, defeated in a skirmish, Arran and Hamilton were not disturbed, because the matter could

<sup>1</sup> Holinshed's Chronicle. Cf. C. S. P., i. 50.

<sup>2</sup> Cf. Tytler's 'History,' iii. ii. Calderwood, i. 245. Buchanan, 'History,' xv. 48.

be avenged in the battle, in which as "the Engliss heretyckis had no faces, thei wald not abyd." The battle fought at Pinkie on September 10, 1547, was disastrous to the Scots. Many of the churchmen, who had been charged to join the army, were slain.<sup>1</sup> In Calderwood's narrative it is stated that "Holinshed reporteth that among other banners was found a banner of white sarcinet, whereupon was painted a woman with her haire about her shoulders, kneeling before a crucifixe, and on her right hand a church; after that, written in great Romane letters, 'Afflictae sponsae ne obliviscaris.'" Patten, who was in Scotland in 1548, and from whom Holinshed borrowed the details of his story, says that, while he could not learn whether the banner was that of the Abbot of Dunfermline or that of the Bishop of Dunkeld, he understood that both prelates were in the field.<sup>2</sup>

The battle of Pinkie was a tragedy for Scotland. It was, too, a serious injury to the government of the Hamiltons and frustrated their plan for the royal marriage. The

<sup>1</sup> T. A., ix. 110. Calderwood, i. 248. The nearest of kin of any churchmen dying in battle were to have the presentations to the vacant benefices (R. P. C., i. 79).

<sup>2</sup> "The Expedition into Scotland of the Duke of Somerset" (Dalyel's 'Fragments of Scottish History'). Lord Grey of Wilton spoke of a priest's standard being taken (C. S. P., i. 52).

Chancellor Huntly, whom Arran had secured in 1545, was made a prisoner, and the dowager sought refuge with her daughter at Inchmahome.<sup>1</sup> Sir George Douglas, ever ready for intrigue, promised Grey of Wilton that he would draw away Angus, so that the Governor should be left with none but his brother and Argyle.<sup>2</sup> The war did not end at Pinkie; and Broughty, Inchcolm, and other fortresses were taken by the English.<sup>3</sup> The Scots were thoroughly beaten, and could only await what assistance France would send. The Bishop of Dunkeld, after encouraging the men of Clydesdale with hopes of French aid,<sup>4</sup> joined the Council at Stirling.<sup>5</sup> By Buchanan's account Arran and his brother appeared sincerely sad and dejected at the calamity they had brought on the country; and the dowager, while lamenting with them in their presence, rejoiced in her domestic circle that their pride had been humbled. The unfortunate Arran scarcely dared show his face outside Edinburgh Castle. Once in passing along the High Street he was compelled to seek refuge in the church of St Giles from the fury of the women.<sup>6</sup> But the moment

<sup>1</sup> R. P. S., xxii. 15, 16.

<sup>2</sup> C. S. P., i. 57.

<sup>3</sup> R. P. C., i. 79. Hamilton, as Treasurer, took charge of Dunbar, which he ordered the Chamberlain of St Andrews to victual (T. A., ix. 445).

<sup>4</sup> C. S. P., i. 73.

<sup>5</sup> T. A., ix. 135.

<sup>6</sup> C. S. P., i. 73.

came in the critical situation when the desire for French support again brought the Governor and the dowager together.<sup>1</sup>

While Scotland was in straits, Hamilton's translation to St Andrews was effected on November 28 at the Roman court.<sup>2</sup> It may be safely conjectured that no time would be lost in forwarding the nomination, as Arran was attached to his brother, but evidently the confirmation had been delayed. The pope had good reasons for hesitancy. The promotion to Dunkeld had been completed by a bold assertion of the royal prerogative, and the suggestion that Crichton should have the see of Ross had been disregarded. Then the Governor had attempted to force a Douglas into Arbroath. There were, too, financial difficulties and diplomatic considerations. The record of Arran, and, indeed, of Hamilton, was not reassuring; but after the English victory at Pinkie, it must have become clear to Rome that the promotion of the Bishop of Dunkeld was a necessity, lest the power of the Hamiltons should be turned against the Church.

The successes of the English emboldened them

<sup>1</sup> C. S. P., i. 75.

<sup>2</sup> Dowden's 'The Bishops of Scotland,' 51. Lord Herries ('Hist. Memoirs of the reign of Mary Queen of Scots,' Abbotsford Club, 17) says that at Hamilton's presentation to St Andrews "the chapter was not pleased, whoe alreddie had made choyce of James Beatone, Archbishop of Glasgow."

to attempt the occupation of Scotland, and the Scots were compelled, without waiting for the French, to offer resistance. Arran was still the Governor; and he and his brother saw clearly that it was of supreme importance to oust the enemy from the fortresses. Hamilton, with personal interests at stake, hoped that an attack on Broughty might check the enterprises against Perth and St Andrews, which Lord Gray was recommending to Somerset.<sup>1</sup> The churchmen offered a subsidy of £5000 for the siege of Broughty; and Hamilton, who had secretly removed two cannon from Edinburgh Castle for shipment at Leith, busied himself with arrangements in Fife.<sup>2</sup> The interest of the clergy was stimulated by well-grounded alarm. Their jewels and chalices, it was reported, were to be confiscated by the Council for the war; and they feared their lands might be demanded.<sup>3</sup> The attempt to reduce Broughty, begun in November, was abandoned in a few weeks; and in spite of the arrival of some French troops before the end of the year, the situation did not improve.<sup>4</sup> Treachery as usual played its part in the national drama. The lairds of Ormiston and Brunston promised, on condition of receiving money for the payment of their men, to lay hold

<sup>1</sup> C. S. P., i. 82, 84.

<sup>2</sup> Ibid., 88, 94.

<sup>3</sup> Ibid., 88.

<sup>4</sup> Ibid., 116, 117.

of the Governor and the Bishop of Dunkeld, should they visit Edinburgh with only a small retinue.<sup>1</sup> The bishop was in Edinburgh on the last days of January and the early days of February, 1548, but the plot failed.<sup>2</sup> Argyle, who had been active in raising forces, now began to exploit the misfortunes of the Hamiltons; and, with Huntly a captive, had visions of the governorship.<sup>3</sup> The dowager, too, was laying her plans against Arran. On January 17, 1548, the postulate of Caithness entered into a bond of manrent with her, and wrote to Huntly, his brother, "We will rendyr to the Turk rathyr nor to be onrevengit."<sup>4</sup> In March she received the support of Lord Gray, who promised by a similar bond to serve the queen, her daughter.<sup>5</sup> The Hamiltons, on the other hand, made vigorous efforts to retain the Douglasses by proceeding against James Beaton in the matter of Arbroath.<sup>6</sup> At the same time they showed alarm by hastily fortifying Edinburgh Castle, in which they might hold themselves against attack from the English or from enemies at home.<sup>7</sup> In February the English, under Lord Grey of Wilton, reached Haddington.<sup>8</sup>

<sup>1</sup> C. S. P., i. 125.

<sup>2</sup> A. D. C. S.

<sup>3</sup> C. S. P., i. 132, 147, 148, 150, 192.

<sup>4</sup> State Papers (Register House): C. M. G.

<sup>5</sup> State Papers (Register House): C. S. P., i. 205.

<sup>6</sup> T. A., ix. 144; R. P. S., xxi. 65.

<sup>7</sup> C. S. P., i. 147; T. A., ix. 446.

<sup>8</sup> C. S. P., i. 168.

Dumbarton had been placed at the dowager's disposal, but even though the marriage of the queen with his son might never take place, it was not Arran's intention to suffer Mary to be taken to France. His policy was to keep her in Scotland, so that he could make a bargain with England. Instructions were given to Huntly to prepare a way for negotiations, and it appeared that the Bishop of Dunkeld was ready to act as envoy.<sup>1</sup> Huntly played a double part. He confessed to Lord Grey that the dowager was seeking the support of the Gordons for the removal of Mary to France, and suggested that, if Dunkeld saw the dowager's letter revealing her objections to the Hamilton marriage, the Governor might be inclined towards England.<sup>2</sup> Yet Huntly himself resolved to espouse the dowager's cause, and by a bond agreed to support a French marriage, on condition that she should procure his ransom-money from the King of France, pensions for himself and his kin, and in Scotland the earldom of Orkney, Ross, or Moray.<sup>3</sup>

The bishop did not go to England as a diplomatist, but went as a soldier to Broughty. With him were two "anseynes" of the French and all his adherents from Fife. "I fired," wrote Luttrell who held the castle, "2 demi-barrels of

<sup>1</sup> C. S. P., i. 197, 212.

<sup>2</sup> Ibid., 218.

<sup>3</sup> State Papers (Register House).

powder in the dykes, when the Scots gave a 'sodenne showte,' but on giving 'the sawt' they strove who should come first, and not being agreed thought better to 'retyre agayne with wett cotes thenn to clemme wallys.' So 'my lorde of Dunkelles lordeshypp' was much ashamed at the failure, and I sent him such a 'moccke' the same morning by my drum to Dundee that his 'sprytuall patyence' was much offended."<sup>1</sup>

Scotland was looking to France for aid, but it was said that it would not be given unless the king received the Governor's son and the custody of the castles of Edinburgh, Dumbarton, and Dunbar. Lord Grey, who conveyed the news to Somerset, told him that the Governor required some one to speak with the Bishop of Dunkeld.<sup>2</sup> It is evident that Arran disliked the conditions, and was again thinking of an arrangement with the English. Henry II., however, wrote to the dowager, and events began to move rapidly.<sup>3</sup> In May it was rumoured that Arran was sailing for France; and on June 7 Lord Grey reported that, "passyoned" by his mistake in yielding Dumbarton to the dowager, tormented at his son's delivery to France, his estimation weakened and his hopes at an end,

<sup>1</sup> C. S. P., i. 231.

<sup>2</sup> Ibid., 228.

<sup>3</sup> Balcarres Papers (Advocates' Library), i. 51.

the Governor had worked himself into a serious illness.<sup>1</sup> On June 12 a French fleet appeared, with a strong force commanded by André de Montalembert, Sieur d'Essé.<sup>2</sup> Whatever Arran's feelings were, the Bishop of Dunkeld accepted the situation, and was present at an interview with the French captain.<sup>3</sup> It was not long before he was seen riding to Dunbar, where he delivered up the castle.<sup>4</sup>

The French arrived with the full intention of establishing themselves in Scotland, and apparently had obtained support from Rome, as a legate furnished with money was in their company. A story went abroad that Arran would receive a dukedom and his brother a cardinal's hat and rich livings. The Douglasses were gratified by pensions and the long-delayed Bulls of Arbroath, while the disappointed James Beaton had the promise of a bishopric in France.<sup>5</sup> Soon after the arrival of the Frenchmen it became evident that their very presence was a cause of irritation to the Scots; and when a force had to be raised for the taking of Haddington the bad feeling hindered the musters at Gladsmuir. The Bishop of Dunkeld as Treasurer was compelled to prosecute absentees

<sup>1</sup> C. S. P., i. 238.

<sup>2</sup> Ibid., 242. T. A., ix. 204.

<sup>3</sup> C. S. P., i. 247.

<sup>4</sup> Ibid., 257. T. A., ix. 445. De Selve, 395.

<sup>5</sup> C. S. P., i. 271.

in various parts of the country, and his popularity did not increase.<sup>1</sup>

At the parliament of July, which assembled in the Abbey of Haddington, d'Essé in the name of his royal master promised arms and money, and expressed the hope that the alliance of Scotland and France would be strengthened by the marriage of the queen with the dauphin. "In one voice" the parliament accepted the proposal, stipulating that the independence of Scotland should be maintained.<sup>2</sup> In accordance with the agreement Mary Stewart was taken to Dumbarton, and on August 13 reached the coast of France. The protracted operations against Haddington and the payment of Scotsmen with his money were not pleasing to the King of France, though at the same time the Governor was complaining that the treasure from France was very small.<sup>3</sup> Arran, an Englishman said, was "as one that holdeth the wolf by the eares, in doubt to holde, and in daunger to let goo."<sup>4</sup> The usual reaction had begun, and, as the French had failed to thrust the Hamiltons aside and achieve any military success, Arran saw no reason to play into the hands of the dowager by retiring to France and leaving her to rule.<sup>5</sup>

<sup>1</sup> T. A., ix. 235 ff.

<sup>3</sup> C. S. P., i. 336.

<sup>2</sup> A. P.

<sup>4</sup> Ibid., 337.

<sup>5</sup> Ibid., 336.

Political events in England compelled Somerset to weaken his hold in Scotland. One by one the fortresses were recovered by the allies, and in October 1549 Haddington was secured.<sup>1</sup> Ultimately, by the Treaty of Boulogne, March 1550, the English agreed to yield all places occupied by them in Scotland.<sup>2</sup>

After the arrival of the French the Bishop of Dunkeld did not cease to take part in the war, but he was not conspicuous as a military leader. In November 1548 he was at Dundee, which was lost and retaken by the Scots.<sup>3</sup> Before his expedition to Dundee he was negotiating with the English for an exchange of prisoners and with Bothwell to win him for the Governor.<sup>4</sup> In April 1549 the barons of Lothian were charged to join him in intercepting supplies for the besieged in Haddington.<sup>5</sup> The issue of an order to Kinghorn for spears, a residence "in the camp," and attendance at the Session, were incidents in the life of this prelate of the ancient Church.<sup>6</sup>

Knox and Buchanan have charged Hamilton

<sup>1</sup> Lesley's 'History,' 231.

<sup>2</sup> C. S. P., i. 360.

<sup>3</sup> C. S. P., i. 332. T. A., ix. 253, 254.

<sup>4</sup> C. S. P., i. 331, 336.

<sup>5</sup> T. A., ix. 302, 303.

<sup>6</sup> In March 1549 he signed as a member of the Privy Council a writ declaring that civil actions were to be heard in the Session and not in the Privy Council (A. D. C. S.). In October he confirmed a licence to the Black Friars in St Andrews (Hay Fleming's 'The Reformation in Scotland,' 627).

with responsibility for the death of Sir John Melville of Raith, who was executed in 1548 for alleged treasonable correspondence with the English. In Knox's words, "thei cruell beastis, the Bischope of Sanctandrois and Abbot of Dunfermling ceased nott till that the head of the said noble man was strickin from him; especiallie becaus that he was a great freind to those that war in the castell of Sanctandrois." The author of the Johnston MS. defended the memory of Melville, and asserted that "the archbischoep, in the lait kingis lyf-time, maid professioun of the pure Religioun to thoise quholm he moist trustit; bot, eftir his death, he ran heid-longis in all kynd of vyce."<sup>1</sup>

"They have long since put the cardinal out of the way," Herries wrote, "and now the Governor, and his base son the Archbishop of St Andrews, are these who stop the course of reformation. . . . The Governor is taxed with crueltie, oppression and avarice; and the archbishop is taxed with licentiousness and whoredom (vices worthy to be detested by the men themselves, if they be guilty). But the greatest

<sup>1</sup> Pitcairn's 'Criminal Trials,' i. i. 340. M'Crie ('Life of Knox,' i. 161), who names the lairds of Ormiston and Brunston and also Melville of Raith, says: "Aware that it would be extremely invidious to prosecute the barons and gentry upon a charge of heresy . . . the crafty primate commenced his attack by bringing them to trial for crimes against the state." Melville was dead on Dec. 14, 1548 (R. P. S., xxii. 60).

imputation was, that they laboured to keep down the Reformed Religion by fining, banishing and execution to death, which they (the reformers) termed a persecution of the saints of God; although the other party termed it an executing the laws upon factious and seditious men.”<sup>1</sup> The condemnation of the Hamiltons was thorough, if the account given by Herries is to be accepted, and showed the reformers’ anger and hatred; but our records do not justify the sweeping charge that there was a persecution of the saints of God and that the Governor and the archbishop were responsible.

No account of Hamilton’s installation at St Andrews has been transmitted, but the fact was noted in a communication dated July 24, 1549, and addressed to Somerset. “The Busshope of Dunkeld,” Holcroft wrote, “(has gone) into St Andrews to be consecrat busshope therof, making great feastes.”<sup>2</sup> The exact day of the installation cannot be determined, but it is known that Dunkeld was vacant on June 23, and that on July 4 Hamilton was Archbishop of St Andrews.<sup>3</sup> After the death of Archbishop Dunbar of Glasgow the leadership of the clerical estate had passed to the Bishop

<sup>1</sup> Herries’ ‘Memoirs,’ 26.

<sup>2</sup> Stevenson’s Selections, reign of Queen Mary (Maitland Club), 37.

Dowden’s ‘The Bishops of Scotland,’ 43, 90.

of Dunkeld, and when, after a long delay, Hamilton reached the primate's chair he attained the high position to which he had the strongest claim through his connection with the Governor, his experience, and his ability.

Shortly after his installation at St Andrews the archbishop went to Linlithgow, where he attended a General Convention and Provincial Council. The statutes of this Council, dealing mainly with the conduct of the clergy, were confirmed, and additions made, at another Convention, which met on November 27 at Edinburgh. The preface to the statutes, sixty-eight in number, showed that the cause of the troubles and heresies afflicting the Church was the corruption, lewdness, and ignorance of the clergy. Churchmen were required "to put away their concubines, under pain of deprivation of their benefices; to dismiss from their houses the children born to them in concubinage; not to promote such children to benefices, nor to enrich them, the daughters with dowries, the sons with benefices, from the patrimony of the Church. Prelates were admonished not to keep in their households manifest drunkards, gamblers, whore-mongers, brawlers, night-walkers, buffoons, blasphemers, profane swearers." Canons were passed anent preaching, teaching, visitation of monas-

teries, conferring of orders and holding of pluralities. Bishops, abbots, and priors were ordained to make diligent search for heretics.<sup>1</sup>

The Archbishop of St Andrews was a notable example of the men for whose immoralities the Church was forced to legislate. The names of his three sons and three daughters are known, and the mother of more than one of these children, if not of all, was the wife or divorced wife of James Hamilton of Stanehouse.<sup>2</sup>

In spite of the surrender of Haddington the Scots were apprehensive of an English incursion, and on March 15, 1550, there was a call to arms.<sup>3</sup> With the archbishop's approval a tax of £4000, for defensive purposes, was levied from the clergy.<sup>4</sup> Fortunately for Scotland there was no invasion. On April 18 the queen agreed to the comprehension of Scotland in the Treaty of Boulogne, and two days later peace was proclaimed.<sup>5</sup> The Privy Council presented most humble thanks to Henry II., the king of France, for his labours on behalf of Scotland, and made a request. He had given instructions to

<sup>1</sup> Cf. 'Statuta,' i. 147 ff.

<sup>2</sup> Cf. Hay Fleming's 'The Reformation in Scotland,' 51, note, 555, 557. Appendix III.

<sup>3</sup> T. A., ix. 380, 381, 388.

<sup>4</sup> R. P. C., i. 83.

<sup>5</sup> C. S. P., i. 360. On April 15 Arran wrote to the archbishop that the "peace" had been brought (T. A., ix. 392, 393).

the Cardinal of Guise to approach the pope for a grant of the legacy of Scotland to the Archbishop of St Andrews, and he was asked to continue in the same till such time as it should be given "in maist ample and large maner." After pointing to the cost of conducting business at Rome and the impoverishment of the country by reason of the wars, the Council stated that the legacy was not desired for the private weal of any one person, but for the good of the realm.<sup>1</sup> At the same time it was decreed, on account of the dearth of food, that archbishops, bishops, and earls should not have more than eight dishes "for thair meiss," and other allowances were fixed. Regulations were made for the sale of "the wild meat," and for the export of gold and silver. Those who infringed the decrees were to be reported to the Lord Treasurer.<sup>2</sup>

The churchmen, having leisure for spiritual affairs after the declaration of peace, laid hold of Adam Wallace, "a sempill man, without great learnyng, but ane that was zelous in godlynes and of ane uprycht lyeff." It appears that he and his wife frequented the company of the lady of Ormiston, instructing her children, and that he "took upoun him to preach." By the archbishop's orders he was seized at Winton

<sup>1</sup> R. P. C., i. 85 ff.

<sup>2</sup> Ibid., 94 ff., 127.

Castle, and being condemned "by the laws" was burnt on the Castlehill of Edinburgh.<sup>1</sup>

It is strange that after the tragedy of the cardinal there should have been a persecution unto death, and that such a man as Wallace should have been the victim. The archbishop was not a fierce oppressor. He confessed in a later year that he was greatly blamed for remissness in crushing heresy.<sup>2</sup> But he was not always merciful. In an information to Rome he claimed that he had expelled the heretic Macbriar from the house of Ochiltree.<sup>3</sup> Further, he was present in 1540 at Sir John Borthwick's trial; and, according to an undated record, George Winchester of Kinglassie, who did not obey his summons, was condemned by the prelate of St Andrews and his clergy.<sup>4</sup> Adam Wallace was the first to die for his faith in the times of Archbishop Hamilton; and the simplicity of the man may have induced the primate to make an offering of him to the cruelty of the fanatics.

After the declaration of peace Scotland was not freed from the Frenchmen, who offended by their pride and insolence. The dowager kept them, desiring to have men of her own

<sup>1</sup> On the date of the execution, cf. Knox, i. 237, 544; T. A., ix. 435.

<sup>2</sup> Knox, i. 279.

<sup>3</sup> M'Crie's 'Knox,' ii. 292.

<sup>4</sup> Macfarlane's *Geneal. Coll.*, ii. 188. M'Crie's 'Knox,' i. 163.

country by her side; but she was bent on obtaining the regency, and, while she knew that she must act with prudence, she hoped with their assistance to establish her authority. Yet in spite of his military disasters Arran could not be easily moved; and favours might have to be used, where force would fail. Her brother, the Marquis of Maine, was with her in the summer of 1550, and doubtless encouraged her designs.<sup>1</sup> In September she set out for France,<sup>2</sup> and found no difficulty in persuading Henry II. that his influence in Scotland must be established, if a reformation as in England was to be prevented. In consultation with the Bishop of Ross, Sir Robert Carnegie, and the Abbot of Kilwinning, the king proposed that the dowager should have the Scottish regency, and offered to give them in trust for Arran the town and castle of Châtelherault, and to confer the captaincy of the Scottish guard on Arran's son. Carnegie returned to Scotland, followed by the Bishop of Ross, for the purpose of persuading the Governor to resign, and "at last he brocht the same to passe."<sup>3</sup> It was afterwards reported that Arran had been de-

<sup>1</sup> T. A., ix. 408, 416, 420.

<sup>2</sup> A passport was granted by Edward VI. (C. S. P., i. 362).

<sup>3</sup> Lesley's 'History,' 238. Buchanan's 'History,' xvi. 1. On the gift of Châtelherault, cf. Hay Fleming's 'Mary Queen of Scots,' 193, 194. Appendix IV.

prived, by the illness of his brother, of his most trusted adviser, and that in great anger the archbishop had called Arran "a very beast for quitting the government," since there was only a — lass between him and the crown.<sup>1</sup> Hamilton suffered from attacks of asthma, and Melville described him as falling sick so that he lost his speech and was given over for dead.<sup>2</sup> The Governor may have acted without his brother's guidance; but it is possible that the two were in league, and that Arran, whatever promises he gave, had no intention of resigning. The dowager did not hasten to act on these promises, as she remained in France for more than a year. Domestic troubles, however, may have accounted for her continued absence, as in September 1551 her son, the Duke of Longueville, died.<sup>3</sup> On June 14 the archbishop wrote to her, saying, "I man lat your grace ken the browt of this cuntre albeit my lord and we all that are his servitours knawis the contrary that the kyngs majeste and your grace is not contentit with my lord in na sort and becaus thai say that my lord Huntlie and his broder M. Alex. Gordoun hes gottyng thar erands and besines down for the kyngis majeste has gevin

<sup>1</sup> Sir J. Melville's 'Memoirs' (Edition 1735), 27, 28.

<sup>2</sup> Ibid., 48. Appendix V.

<sup>3</sup> Cf. Stevenson's 'Mary Stuart,' 115.

to the said M. Alex. the respeck to ane abbacy and hes relevit his pensioun and bankeris and hes down na thyng on the uthir towart Glasgw and siclik the endyng of my lord Huntlie besines." After reminding her that all matters connected with the Glasgow archbishopric had been delayed at her pleasure, he told her that one had come with letters of commendation from the king and others, and having stolen the benefice had been declared guilty of barratry. It was her grace's part, he said, to cause the matter to be ended.<sup>1</sup>

Towards the end of November, 1551, the dowager returned to Scotland;<sup>2</sup> and in the following year attended courts in different parts of the country. Men were brought before the Governor, charged with treasonable traffic with the English; and some were fined and some sentenced to death. Arran's severity or stern justice shocked the people, while the dowager rose in favour by her pity for the sufferers. Promises of reward drew many of the nobles to her side, and in her name the Bishop of Ross urged the Governor to resign. But Arran would

<sup>1</sup> C. M. G. The king was asked to defend the privileges of the Scottish crown, prejudiced by the provision of Gordon to Glasgow (March 5, 1550). James Hamilton and James Beaton had in turn been nominated (Balcarres Papers, Adv. Libr., i. 42, Instructions, undated, for French king. Among the Instructions was one relating to powers *a latere* for St Andrews).

<sup>2</sup> Cf. Hay Fleming's 'Mary Queen of Scots,' 202.

not yield. During the remainder of the year he confined himself to Edinburgh, and the dowager occupied Stirling.<sup>1</sup> However unfit the archbishop may have been to advise regarding the regency, his health did not altogether prevent him from discharging public duties.<sup>2</sup> On September 3, 1551, in presence of the Lords of the Council, he produced the confirmation of the peace completed by the Scottish and English commissioners; and, on September 11, tabled articles anent the lands destroyed by the English in Edinburgh and other burghs.<sup>3</sup> At Wigton he attended the Justice aire, which continued from November 23 till December 10,<sup>4</sup> and early in 1552 presided over a General Provincial Council at Edinburgh. This council, which assembled on January 26, ratified all statutes passed in Hamilton's primacy. New canons were framed, and provision was made for the enforcement of canons which had been disregarded. It was shown how, even in populous parishes, few people attended mass. Inside the churches, during the time of service, jesting and irreverence were prevalent, and outside, in the

<sup>1</sup> Lesley's 'History,' 244, 245. Buchanan's 'History,' xvi. 2.

<sup>2</sup> At Dumfries, on July 31, he pronounced a decreet arbitral (Hist. MSS. R., xv. 9, 20), and on August 1 arranged a marriage contract for a grand-niece (Fraser's 'Annandale Book,' i. lxiv.)

<sup>3</sup> R. P. C., i. 116. A. P., ii. 490. He attended the meeting of the Privy Council at Linlithgow on October 5 (R. P. C., i. 116).

<sup>4</sup> T. A., x. 41.

porches and cemeteries, business and games were carried on. The significant declaration was made that by the help of the State and the vigilance of the Church heresy was all but subdued. None the less, seeing that the inferior clergy and the prelates for the most part were not sufficiently learned to give instruction in the Catholic faith, it was deemed necessary to publish, with the approval of the synod, a popular exposition of doctrine which had been diligently revised by the most erudite divines of the realm. The theological treatise thus prepared and sanctioned was issued in August, 1552, at the expense of the archbishop, and came to be known as Archbishop Hamilton's Catechism.<sup>1</sup> In a preface the prelate set forth the pious object of the book. "Efter that the divine providence of God," he said, "had promovit us to the office of ane archbishop and general primacie of this Kirk of Scotland, we thocht oft tymes that na thing culd be to God mair plesand, to the Christian pepil mair expedient, and to our office mair convenient and consonant, than with all diligence to provide, that the Christian pepil (of quhome we have spiritual cure under God) mycht be instruckit in the faith and law of God, with ane uniforme and concordant doctrine of Christis religioun, aggreabil

<sup>1</sup> 'Statuta,' i. 154.

in all pointis to the catholyk veritie of halie kirk." A learned editor of the Catechism has described it as "almost the solitary monument of the doctrinal and devotional language of Catholic Scotland." He has pointed out that it contains no polemical references to the Reformers or their opinions, and that its authors were conscious that the primary evils with which they had to contend were ignorance, indifference, and a contempt for the priestly offices, rather than false doctrine.<sup>1</sup> The most noticeable feature of the Catechism is its complete silence regarding the pope. Though the papal authority is in no way repudiated it is not mentioned, while that of councils and bishops is set forth. "The complete silence," says the same editor, "of the Scottish Catechism on this cardinal point of the Roman Catholic faith is without a parallel, and is not easily explained."<sup>2</sup> Further, the mass is not defined as a propitiatory sacrifice, and the statement of the doctrine of justification by faith is not in harmony with that of the Council of Trent. In a passage, evidently suggested by the teaching of "The Necessary Doctrine and Erudition for any Christian Man," the connection of justi-

<sup>1</sup> T. G. Law in his preface to the Catechism.

<sup>2</sup> On this subject, cf. Bellesheim's 'Hist. of the Cath. Church of Scotl.' (Engl. transl.), ii. 218, note.

fication with faith is established. The use of a book associated with the royal heretic of England, the influence of other moderate works, the deviations from the authorised doctrine of the Church, and the silence regarding the place of the pope in the ecclesiastical system, suggest that the authors of the Catechism were working for a compromise between Romanism and Protestantism.<sup>1</sup>

Tradition has assigned the composition of the Catechism to John Wynram, subprior of St Andrews, who, at the Reformation, joined the ranks of the Protestants.<sup>2</sup> Yet the archbishop defrayed the expense of publication and approved the book, which, containing neither a bitter denunciation of heresy nor a blatant assertion of orthodoxy, may be accepted as the manifesto of a moderate reformer.

A few days after the assembling of the Provincial Council the parliament confirmed the Act of November 18, 1544, annulling the suspension of the Governor. This intervention of the Estates

<sup>1</sup> The Treasurer's Account, January 11, 1552, contains the note of a payment for "thre Englis bukis to my lord governor viz. ane Perraphrasis upoun the Evangelistis, ane New Testament, and Hopper upoun the Commandmentis."

<sup>2</sup> Cf. 'Archbishop Hamilton's Catechism,' with preface by Prof. Mitchell. Law's 'The Catechism of John Hamilton,' xxxii. Dr Richard Smith has been named as one of those chiefly concerned in the preparation of the Catechism ('The Richt Vay to the Kingdom of Hevine,' Scot. Text Soc., xlvii.-xliv. Cf. M'Crie's 'Life of Knox,' i. 418).

was the answer of the Hamiltons to the dowager, and Arran continued to rule. The failure of the dowager's scheme, which was also the scheme of Henry II., did not disturb in any way the relations of Scotland and France; and in March, 1552, the Privy Council gave assurances that to suit the needs of France they would break their treaty with the Emperor.<sup>1</sup> Hamilton was present at the Council, and approved the continuance of the French alliance.

In the early part of 1552 the archbishop was at Ayr, Linlithgow, and Hamilton; but, owing to the arrival of a man whose visit he had arranged and whose presence he had eagerly desired, he did not go to the "northland airis with his grace."<sup>2</sup> Severe illness induced him to seek the advice of the distinguished physician, Jerome Cardan (Girolamo Cardano) of Milan, to whom letters were sent by the hand of William Cassanate. There is a reference to Cassanate in the Treasurer's Account for 1550, where a payment is noted to "ane boy send to Sanctandros with writtingis in Frenche maid be my Lord of Sanctandros doctour of medecine, to be send to

<sup>1</sup> C. S. P., i. 370. R. P. C., i. 120. A treaty with England had been concluded (C. S. P., i. 374, 375). The Ross herald received articles to be shown to the King of France and the Emperor (T. A., x. 84). On May 31 the archbishop had "writtingis of my lord governouris to be send in France" (ibid., 86).

<sup>2</sup> Ibid., 63, 84; Register House Charters, 1550, 1553; R. M. S., iv. 695; Acts and Decrees, vi. 340.

the King of France.”<sup>1</sup> Cassanate, who was a Spaniard by birth, had left France for Scotland and had now been attached for four years to the household of Hamilton. Writing from Edinburgh on September 28, 1551, he told the Italian physician that Hamilton, when about the age of thirty, had begun to suffer from asthma, and, after a tedious medical dissertation, said that he was commanded to arrange an interview, in the following January, at Paris.<sup>2</sup> A safe-conduct was asked from Edward VI. for the archbishop, “quha presentlie addressis him unto the partis of France through (the) realme of Ingland, for recovering of his heill and remeid of the seikness quharewith he is now hevelie vexit.”<sup>3</sup> Cardan agreed to go to Paris, if paid 200 crowns for expenses, and was assured that he would receive “gain of fortune,” as the prelate hoped for “gain to his body.” Ultimately Lyons was chosen for the consultation; and there Cardan met Cassanate, who had with him a letter in which, after speaking of “serious, urgent and inevitable business” which detained him, the archbishop asked the physician to pro-

<sup>1</sup> T. A., ix. 381. Arran was in St Andrews on Febr. 16 (C. S. P., i. 359).

<sup>2</sup> Henry Morley's 'Jerome Cardan,' vol. ii. Burnet ('Hist. of the Reform.') described the disease as dropsy, and Crawford ('Officers of State,' 377) as fistula. Martine ('Reliquiæ,' 245) said it was phthisis.

<sup>3</sup> C. S. P., i. 385.

ceed to Scotland. "I would have you persuade yourself," he wrote, "that I both wish and am able to do more things than I promise." Trusting to this assurance, the Italian, accompanied by Cassanate, set out for Paris, where it was arranged that he should get, in addition to travelling expenses, ten gold crowns for each day of attendance. He met certain physicians of the King of France, who knew the case of the archbishop, and listened to them in silence, as he was unacquainted with the patient. At length on June 29, 1552, he reached Edinburgh. He carefully observed the treatment of Cassanate, till at the end of forty days the prelate began to be impatient. Cassanate placed at the base of the disease a cold brain, while Cardan traced the evil to a hot brain. The Italian was told that the attacks of asthma agreed generally with the changes of the moon, and seldom continued beyond twenty-four hours. His Grace slept well, but from the urgency of his affairs never had sufficient rest. He was a great eater and drinker: was "irascible enough, had a skin that exhaled freely, a chest of fair size, and rather a thin neck." Many of Cardan's devices were therapeutic vagaries. One day he applied to the patient's shaven crown an ointment composed of Greek pitch, ship's tar, white mustard, euphorbium, and honey of anathardus, which

might be sharpened, if requisite, by a fly blister. He gave, too, instructions "*de venere*." Cardan has left us, says a distinguished modern physician, "a copy of the lengthy and very minute medical and hygienic directions which he drew up for the behoof of the archbishop. Besides giving him innumerable medical prescriptions, he lays down for him excellent rules regarding his food, drink, exercise, &c., down to the materials of which his bed and pillows should be composed."<sup>1</sup>

The Italian, though urged to remain six months longer, left Edinburgh on September 12, having received among many gifts a chain of gold and an ambling horse. The fee paid was 1800 gold crowns, of which 1400 went to himself and 400 to his attendants.

As a professed astrologer, Cardan calculated the archbishop's nativity; and "inasmuch as he was born at ten in the morning on the third day of February, 1512, found that he would attain his felicity through much anxiety and peril, and that if he lived over the year 1554 he would be in great danger from passion of the heart, or poison in the year 1560."<sup>2</sup> Bishop Burnet relates that the archbishop was told that he would die on a gallows.<sup>3</sup>

The English resident at the Scottish Court,

<sup>1</sup> Sir J. Y. Simpson's '*Archæol. Essays*,' ii. 338, 339.

<sup>2</sup> Morley's '*Jerome Cardan*.'

<sup>3</sup> '*History of the Ref.*,' II. i.

as late as 1562, gave the story of Cardan as gossip had fashioned it. "There is a merry tale," Randolph wrote, "that Cardanus the Italian took upon him the cure of the Bishop of St Andrews of a disease judged by all incurable. He practised on him divers strange inventions, hung him certain hours a day by the heels, to cause him 'awoide at the mouth' what nature could not otherwise expel, fed him many days with 'younge whelpes,' used him with extreme heats, and as many days with extreme colds. Before his departure he 'roundeth' daily for six days certain unknown words in his ear, and used no medicine after. It is said he then put a 'dyvle' within him, for he has since been better, and that this 'devell was geven unto hym of credyt but for nine years,' which being near expired, 'ether he must go to hell with his dyvle, or fawle agayne into hys olde myscheif to poyson the whole cuntrye with his falce practyses.'" <sup>1</sup>

During the period of the archbishop's severe illness the business of his see could not fail to suffer, and the assistance of a coadjutor was necessary. The name of Gavin Hamilton, Abbot of Kilwinning, was submitted to the pope, who on September 4, 1551, made the appointment. The coadjutor held his abbey, received a pension

<sup>1</sup> C. S. P., i. 1066.

of £400, and secured the succession to the see.<sup>1</sup> Hamilton himself, when under the treatment of Cardan, obtained the high ecclesiastical honour so eagerly sought, and on September 3, 1552, exercised authority as legate *a latere*.<sup>2</sup> No relative papal deed has been discovered, and no writing shows why, after long delay, the dignity was conferred.

Whatever may have been the value of Cardan's remedies, the archbishop so far recovered as to be able to return to the public service.<sup>3</sup> On August 23, 1552, he was made an Auditor of Exchequer,<sup>4</sup> and on October 14 presented to the Privy Council an indenture regarding a division of the Debatable Land.<sup>5</sup> The Treasurer's Account, submitted by him on the last day of November, showed, as did the following one, an enormous excess of expenditure over receipt.<sup>6</sup> For the debt the Governor was responsible by his household extravagances and his liberal patronage of the Hamiltons. His

<sup>1</sup> Balcarres Papers. Cf. Dowden's 'The Bishops of Scotland,' 43 n. Martine's 'Reliquiæ,' 245. T. A., x. xxxviii. Appendix VI.

<sup>2</sup> Martine's 'Reliquiæ,' 51; Fraser's 'Herries Muniments'; Register House Charters, 1561. On Dec. 6, he was legate *a latere* ('Antiq. Aberdeen and Banff,' iii. 228), and again on March 13, 1553 (Reg. House Charters, 1581).

<sup>3</sup> He was in Edinburgh on July 4 (T. A., x. 98), and in the same place on July 26 was a party to a deed (H. MSS. R., Milne Home, 40; Acts and Decrees, vi. 520).

<sup>4</sup> Register House Charters, 1562.

<sup>5</sup> R. P. C., i. 125.

<sup>6</sup> T. A., x.

ostentatious aggrandizement of the men who bore his name was one of the chief causes of his unpopularity, and helped to bring about his deposition from the regency. It appears from the Account that on a payment of £4000 he obtained the feu of certain lands of Holyrood, and that the archbishop then received from the abbey the subsidy which should have been given on his elevation to St Andrews. Arran, however, was generally the bestower of favours, and many were conferred on his brother. It is more than likely that the gifts, such as those of ward and non-entry, were payments to the Treasurer; and it is the case that in November 1553 he received, "in recompance and part of payment of his gret superexpensis in his last thesaurar compt maid at Edinburgh," arrears of the Exchequer rolls and of the sums for the defence of the realm still owed by sheriffs, clergy, and burghs. It is reasonable to suppose, from the number of grants and payments towards the end of 1553, that the Governor remembered that the time of his opportunities was drawing to a close.<sup>1</sup>

In the autumn of 1552 Arran resolved to approach the King of France in order to learn his intentions regarding the administration of

<sup>1</sup> For grants made to the archbishop, cf. R. P. S., xxvi. and xxvii. *passim*.

Scotland after the expiration of the queen's minority, and to obtain certain privileges for himself during the remainder of his regency. His plans in some way were discovered, and a memorandum for the King of France, dated October 6, was prepared by the dowager. The memorandum fell into the hands of the Queen-Dowager of Hungary, Regent of the Low Countries, who on November 11 sent a copy to the Emperor.<sup>1</sup> Having pointed out that the document indicated the administration in store for Scotland, and revealed the discord between the dowager and the Regent, she suggested that it should be shown to Arran.

"The Duke of Chatelherault, Regent of Scotland," as the memorandum states, "has informed the queen-dowager (of Scotland) and M. d'Oisel, since the latter's return from France, that he intends soon to send the Abbé de Villouin towards his Majesty (the King of France) to ascertain his intentions regarding the administration of the country after the queen's minority expires. The Regent mentioned this matter to the queen-dowager before d'Oisel's return, . . . and said he greatly wished it to be kept a secret between the queen-dowager, himself, the Archbishop of St Andrews, and M. d'Oisel. But before the above-mentioned persons had heard a word of it from the Regent, they had been

<sup>1</sup> Spanish State Papers, x. 585-589.

informed of his intention to send the abbé to France by the Earls of Argyll and Cassillis. Moreover, the Regent said openly among his familiars of this nation that while he lived there should be no other Regent in Scotland than he. . . . It is true that, at the Bishop of Ross's request, his Majesty conceded to the Regent that he should remain at his post as long as he lived, but it was not specified under what conditions. . . . The queen-dowager and M. d'Oisel have also been told . . . that the Regent intends to ask his Majesty for all the casualties of superiority, together with the presentation to bishoprics, abbeys, and all other elective benefices of the kingdom, for his maintenance as Regent, and that he shall be allowed to have the queen's property and domain administered by his nominees. . . . It is probable that if he ventures to send to his Majesty now, before the queen's minority ceases, in connection with this matter, he will do so to find out the lie of the land in plenty of time, though, whatever reply he receives, he will, as always, profess entire submission to his Majesty's will. It is also easy to believe that the Archbishop of St Andrews, who is a very subtle person, and now has all public affairs, finances, justice, and police in his hands, has prompted the Regent to this resolve."

It is apparent from another letter, written

by the Dowager of Hungary, that a French administration of Scottish affairs would not be acceptable to the emperor, and that in her judgment Arran and Hamilton were the men best fitted to oppose the French, as their own authority was in danger.

"Some (of the Council) consider," she wrote to the emperor, "that the best use we could make of this haul of letters would be to set on the Regent and his party against the queen-dowager and the French, so that in future the French might have no credit in Scotland, or at any rate that there should always be mistrust between them and the Scots. It seems that there is good hope of this if the Regent and the Bishop of St Andrews can be told about the memoir in time to allow them to use it in recruiting more friends. We might also point out to them that the memoir really shows the French intend to encroach in Scotland. But if we replied to the queen in such a way as to give her to understand that we intended to make use of the memoir with the Regent, she and M. d'Oisel might countermine and forestall the Regent's plans by means of other Scotsmen who hate him and the Bishop of St Andrews. For Regent and bishop, it appears from what the Court-Master here said, have made many enemies since they have been in power because

of their faulty administration of justice. . . . Some observe that if the memoir spoke as openly against the kingdom of Scotland as it does against the Regent and the Bishop of St Andrews, it might openly be reported to the Estates. But though it speaks indirectly of changing justice and police when the queen comes of age, using words that may be taken to betray an intention on the part of the French to encroach, yet the memoir employs equivocal language in that respect, and only speaks clearly against the Regent, which might perhaps recommend it to the Regent's enemies. Therefore it seems that the memoir had better be made to serve with the Regent and the Bishop of St Andrews only; and the more time it would be possible to give them to digest it, and, if they like, send some one to me to inspect the original, the better provision they would be able to make in view of it." <sup>1</sup>

The emperor, however, took no action; and the King of France and Mary of Lorraine continued their schemes, though for a time there was no change in the government of Scotland.<sup>2</sup>

An event of 1553, in which the archbishop

<sup>1</sup> Spanish State Papers, x. 585-589.

<sup>2</sup> To the year 1553 belongs the prelate's acknowledgment of a licence by the city of St Andrews to plant "cuniggis" in the links, and his ratification of the city's rights in the links (St Andrews University MSS.).

was directly interested, suggests that he was well aware that the regency would pass from his brother's hands. He resigned the Abbey of Paisley in favour of his nephew, Claud Hamilton. The transference was sanctioned on December 9 by the Bull of Julius III., and authority was given to the prelate to administer the abbey until his nephew reached his twenty-third year.<sup>1</sup> It has been suggested that John Hamilton, who continued to be styled the Abbot of Paisley, foresaw a spoliation of the religious houses, such as that which had been effected in England, and took steps to preserve the rich benefice for a member of his own family.<sup>2</sup> There was, however, no special event in 1553 threatening the safety of the Church; and it is probable that, since there could be no immediate loss to himself, the abbot resolved to carry out the transaction while yet his brother was in power. It is recorded that a handsome steeple was being added by him to the abbey buildings, and that it suddenly fell to the ground.<sup>3</sup>

Justiciary courts were held in the summer

<sup>1</sup> 'The Abbey of Paisley,' 195, clxxxiii. After the forfeiture of Lennox the patronage of the collegiate church of Dumbarton was entrusted and certain lands were given to John, Abbot of Paisley, and his successors (R. M. S., iv. 683, 747).

<sup>2</sup> Ibid.

<sup>3</sup> Martine's 'Reliquiæ,' 242. A reference to the steeple is made in the ballad of "The Bischoppis lyfe and testament."

of 1553, at which the Governor or the archbishop was present.<sup>1</sup> Even during the years of his illness Hamilton was diligent in his attendance at the courts, and it is possible that he and his brother were anxious that justice should be done. Fines, however, could be imposed — useful to replenish exchequers which were empty after the wars. Lindesay of Pitscottie narrates that the Governor and “the bischop his brother begane to grow covettous and gredy, and held justice airis throw all Scotland under pretence of Justice ffor to fill thair baggis and pookis with money”; and he is not alone in charging the prelate with covetousness. In the summer of 1551 Strick, an Imperial emissary, visited Scotland, and afterwards, in a narrative of the things he had heard, made mention of Hamilton. “The Archbishop of St Andrews,” he said, “brother of the Regent of Scotland, passes for the most influential man in the kingdom. He is miserly and covetous, and loves discord better than peace, for thus he accumulates other men’s property, though he is a sick man, subject to intermittent maladies and unlikely to live long.” He told a story of the sale of a captive ship’s cargo, showing that the money from the sale could not be

<sup>1</sup> T. A., x. 189, 191.

recovered from the archbishop, into whose hands it had passed. The owners, who brought their suit before "the Great Council at Edinburgh," were two Spanish merchants, and their tale, which may perhaps throw light on the character of the prelate, was not likely to be doubted by an Imperial envoy.<sup>1</sup>

The outstanding event of 1553 in the concerns of the archbishop was the reorganisation of St Mary's College, St Andrews, which had been founded by James Beaton and extended by the cardinal.<sup>2</sup> Three years earlier he had given it, for the augmentation of its revenues, the parish of Conveth (now Laurencekirk), and in 1552 had obtained from Pope Julius III. a Bull of confirmation. It is narrated in an official account of St Mary's that "in 1553 John Hamilton, Archbishop of St Andrews, under the authority of a Papal Bull obtained in the year preceding, gave a new establishment to this college, perfecting the work which his predecessor had begun on a scale of more general usefulness."<sup>3</sup>

This new foundation was made in the year after the publication of the Catechism, and was a witness, as was the Catechism, to the arch-

<sup>1</sup> Spanish State Papers, x. 339.

<sup>2</sup> Vol. iii. 240 ff; iv. 36 ff.

<sup>3</sup> Report on the Universities of Scotland (1830), Appendix, 388, 389. Evidence (1837), Appendix, 359-367.

bishop's desire to strengthen the Church.<sup>1</sup> Another parish was to be added to the endowment;<sup>2</sup> but the day of the Reformation was approaching, and the scholastic philosophy and the theology of the Catechism, which were expounded by the learned men of the college, could not stay the inevitable revolution.

In consequence of the disorder prevailing after the English invasions, it was decided by the Privy Council on May 13, 1553, that all Acts touching the common weal, passed since the king's death, should be collected by the Clerk Register and published by the Lord Treasurer.<sup>3</sup> This step was taken so that no one should be able to plead ignorance of the laws. The enumeration of the new Acts might have served to show the Governor's care for the nation; but the presence of the dowager at the Council indicated that the interests of Arran were not being considered. Unfortunately for him the military disasters during his regency were remembered and any patriotism he had displayed was forgotten. There was nothing heroic in his

<sup>1</sup> In St Mary's College, three bursaries, each of the value of £24, "founded in 1553 by Archbishop John Hamilton," are open to competition (University Calendar).

<sup>2</sup> The church of Tarvit (now a part of Cupar) was given in 1558 (R. M. S., iv. 1742; cf. Martine's 'Reliquiæ,' 243). The R. P. S. (xxvii. 114) records the precept (June 8, 1555) of a confirmation of privileges for the University.

<sup>3</sup> R. P. S., i. 138.

deeds or lovable in his character, and few remained to support him against the respectable, though intriguing Mary of Lorraine, who was the mother of the Queen of Scotland. Admitting that Arran was "gentill of nature," Buchanan declares that "thair was in his tyme nathing ellis but weir, oppressioun, and brybing of his callit brother the Bischop of Sanctandrois, so that all the estatis were very of him."<sup>1</sup> The dowager, with persistent vigour, succeeded in attracting the nobles to her side, and at last "none almost did accompanie the governour, but only his owne bastard brother and the Lord Livingstone."<sup>2</sup> Thus was Arran left almost alone. He was aware that his resignation would be demanded when the queen was twelve years of age, and an inquiry instituted regarding his administration of the royal revenues. It behoved him, therefore, to make some comfortable arrangement. As a result of negotiations the Archbishops of St Andrews and Glasgow, along with certain prelates and nobles, gave a pledge on February 20, 1554, that at a Parliament called for April, the dowager would procure an adequate discharge of

<sup>1</sup> "Ane Admonitioun direct to the trew Lordis." M'Crie ('Knox,' ii. 295) says that it appears from a MS. belonging to Thomas Thomson that Arran and Hamilton procured an absolution for Buchanan. Under the year 1553 there is, in the memorandum of expenses incurred at Rome by the Archdeacon of St Andrews, a note of nine crowns paid for George Buchanan's absolution.

<sup>2</sup> Calderwood's 'History,' i. 278.

Arran's intromissions from the year 1542; and the dowager bound herself in accordance.<sup>1</sup> On March 22, the queen, considering herself to be twelve years of age, demanded the resignation of the Governor, and, when the Parliament assembled, Mary of Lorraine was proclaimed Regent of Scotland.<sup>2</sup> The fall of Arran in no way affected the ecclesiastical position of Hamilton, but he was Lord High Treasurer and could be deposed. The new Regent did not postpone the day of reckoning, and on April 20 the account of Lord Cassillis as Treasurer was opened.<sup>3</sup>

<sup>1</sup> Acts and Decrees, x. 107, 110.

<sup>2</sup> Cf. Knox, i. 242, note. R. P. C., xiv. 11. "De son temps, la guerre régnoit avec l'oppression et exaction de son frère le cardinal de St André, qui causa tel mespris et desdaing de luy envers un chacun, qu'il fut déposé de son gouvernement pour le transférer à une femme estrangère, mère de ladicte jeune Royne, douairière d'Escosse." — Teulet, 'Relations Politiques' (Factum contre les Hamiltons), iii. 364.

<sup>3</sup> T. A., x. 217.

## 1554-1560.

ARRAN had been conspicuous as the head and patron of the house of Hamilton, but had not been illustrious as the ruler and protector of Scotland. In the time of his official degradation there were no strong men by his side, and he and the prelate of St Andrews were powerless so long as Mary of Lorraine directed the destinies of the nation. While the records tell that the archbishop granted a feu-charter or acted as a commissary for his nephew, they do not narrate, on the one hand, that he wrought for the party of France, or, on the other, that he laboured for the independence of Scotland.<sup>1</sup> It was as an ecclesiastic of no high repute, and not as a statesman of the order of Cardinal Beaton, that he was counted in the years end-

<sup>1</sup> Fraser's 'Wemyss,' ii. 289. Register House Charters, 1621. For transactions in 1554 and 1555 cf. Hist. MSS. R. (Milne Home), 195; R. P. S., xxvii. 84; Reg. of Deeds, i. 23, 77, 186; Acts and Decrees, x. 61; Reg. House Charters, 1427; Fraser's 'Wemyss,' ii. 181; Fraser's 'Earls of Haddington,' ii. 262; 'Antiq. Aberdeen and Banff,' i. 384.

ing with the disruption of the French alliance, the establishment of peace with England, and the overthrow of the ancient Church.

While Arran was still Governor he wrote to Julius III. for an extension of the legatine authority of the archbishop. Social scandals existed which might be removed. The prelate desired authority which would enable him to grant dispensations for the marriage of persons in the third degree of consanguinity and affinity, and of such as were connected through *cognatio spiritualis*; and on September 1, 1554, Hamilton himself entered into communication with Cardinal Sermoneta, the promoter of Scottish affairs at the Roman Court. He represented that so many people in Scotland were related by close bonds, that a spouse not united in some prohibited degree of consanguinity could hardly be found for a man or a woman of an honourable family; and further that, through no fault of their own, parties continued in sin who might be freed from their guilt, if there was in Scotland, situated as it were at the end of the earth, a power to grant dispensations. A Bull of faculties was issued on March 6, 1555, by Julius III., and at the death of this pope a request was made for a renewal. On behalf of the archbishop letters were addressed by the Regent to Paul IV., and the Cardinals

Sermoneta and Caraffa.<sup>1</sup> The records do not show, however, what answers were given by Rome.

John Row, who for some years was the Procurator at the Roman Court for the See of St Andrews, sought a confirmation and extension of the powers of the archbishop, as primate and *legatus natus*, from which the prelate of Glasgow had obtained an exemption. The exemption had troubled Cardinal Beaton, and led to a scene which Knox with grim humour describes; but in Hamilton's time, though the extension of his authority was asked on the plea that scandals and enormities, such as "the burning of the images of God and the saints," existed within the diocese of Glasgow and could not otherwise be suppressed, Rome paid no heed to the alleged evils and did not intervene.<sup>2</sup>

The condition of the ecclesiastical buildings in the southern part of the diocese, which had suffered in the period of the English invasions, demanded the archbishop's attention; and accordingly, in August 1555, being freed from the cares of the State, he visited the Merse. Writing to the dean on April 9, 1556, he stated that many of the churches he had seen

<sup>1</sup> Liber Offic. S. Andree (Abbotsford Club), xxxix.-xliii., 164-168. Pollen's 'Papal Negotiations with Queen Mary' (Scot. Hist. Soc.), xcii.

<sup>2</sup> M'Crie's 'Knox,' ii. 291.

were in ruins, while others were levelled to the ground; and he gave orders that the rectors, according to custom, should repair the choirs, and the parishioners should attend to the naves, the fonts, and the churchyard walls.<sup>1</sup> In the same year, 1556, the prelate was involved in a case revealing serious disorder, even if it implied a religious awakening. The Provincial Council of 1549 had ordained that poems containing attacks on the clergy should be suppressed, and in 1551 the Parliament had passed an Act dealing with the printers of such poems.<sup>2</sup> There was no arbitrary interference, therefore, when on September 23, 1556, a writing, given in the name of the archbishop and subscribed by the Regent, was presented to the magistrates of Edinburgh, showing that certain odious ballads and rhymes had been circulated by some evil-disposed persons in the town, and that divers images had been broken. The archbishop demanded that a diligent search should be made for these persons and their names communicated, that he might proceed in conformity with the statutes of the Church.<sup>3</sup>

However zealous the primate was in the discharge of his episcopal duties, he was remiss in

<sup>1</sup> Eccles. Papers (Reg. House).

<sup>2</sup> Cf. Robertson's 'Statuta,' i. 162, note.

<sup>3</sup> Extracts from the Records of the Burgh of Edinburgh, 1528-1557, 252.

the payment of taxes. His neglect, however, did not prove that he was a bad citizen. On January 22, 1555, the Privy Council resolved to levy £20,000 for the erection of a fort at Kelso, and decreed that the half of that sum should be raised from the churchmen.<sup>1</sup> The fort was to be garrisoned by Frenchmen, and many of the burghs, in opposition to the Regent's policy, refused to pay, and were put to the horn.<sup>2</sup> The archbishop, as a Hamilton, did not approve that policy, and, on August 31, 1556, was asked for "the rest of the tax."<sup>3</sup> Again, on October 23, 1558, he was required to pay his share of £48,000 for furnishing 1000 armed men; and on January 31, 1559, the Archbishop of St Andrews and other prelates were charged to make full payment.<sup>4</sup>

In the events of the ballads and the broken images Hamilton did not act as a fierce persecutor, and, whatever his inclinations may have been, he had the example of the Regent to restrain him. The insecurity of her rule and her desire to preserve the French alliance induced her to court the favour of the Protestants; and the archbishop as the defender of the Church had need to be lenient, lest the oppressed should turn for relief to the enemy of the Hamiltons.

<sup>1</sup> R. P. C., xiv. 13.

<sup>2</sup> T. A., x. 286-289.

<sup>3</sup> Ibid., 319.

<sup>4</sup> Ibid., 389, 399, 412.

In their prudence the primate and the Regent alike separated from the prelates who summoned John Knox to appear on May 15, 1556, in the Blackfriars' Church, Edinburgh. Erskine of Dun and "diverse otheris gentlemen" accompanied the reformer to Edinburgh, but "that dyet held nott."

Mary of Lorraine, having secured the supreme authority in the Government, surrounded herself with French counsellors, and had French soldiers at her command, who acted more as conquerors than as allies. The presence of the foreigners was galling to the Scots, as has been shown, and the Parliament of 1555 passed an Act "anent the speaking evil of the Queen's Grace or Frenchmen." With a lack of political discretion the Regent proposed in the following year that there should be a standing army for the defence of the country, and for its support a tax on property should be levied. The reception given to the scheme made plain the temper of the people, who did not forget that such an army was established in France, where popular liberty was suffering from kingly tyranny. Three hundred barons assembled in the Church of Holyrood and commissioned the lairds of Calder and Wemyss to advocate their cause. The two lairds were not afraid of the anger of a woman; and, representing that their fathers with their own hands had defended their

country through many hundred years, declared that the living men of the realm were of as good courage. Their kings, they said, had been called Kings of the Scots in respect of men, and not of the money or substance of the land. The remonstrance was not in vain, and the plan of a standing army was abandoned.<sup>1</sup>

The English had been driven out of Scotland; and in 1557 France demanded a reward. Henry II. was in arms against Philip of Spain, the husband of Mary Tudor, and he asked Scotland to attack her ancient enemy. The lords sternly refused, and in the council at Newbattle told the Regent that the enterprise might be to the advantage of France, but could not be for the good of Scotland. Yet in spite of the protest of the lords the Regent fortified Eyemouth, and collected an army at Kelso. The duke, as Arran was called from Châtelherault, Huntly, Argyle, Cassillis, and others would not join, and the army was disbanded.<sup>2</sup> The Archbishop of St Andrews was not a soldier to take up arms, but was staunch in his opposition to the Regent's policy. Wotton, in a letter to Lord Paget, mentioned a Scotsman who would tell "how ill the Bishop of St Andrews can away with the rule of the French in Scot-

<sup>1</sup> Lesley's 'History,' 254. Cf. C. S. P., i. 411, for an account of the "Running Parliament."

<sup>2</sup> Lesley's 'History,' 260.

land.”<sup>1</sup> Reports were spread in 1558 that after the loss of Calais the English were nervous regarding Berwick, and the Regent, ever anxious to help the French, suggested a siege of the town. For some reason it was said that the archbishop favoured the proposal; and D'Oysel, the French ambassador at the Scottish Court, expressed the hope that Hamilton would move his brother to engage in the siege, “pour effacer sa faulte dernière.”<sup>2</sup> No attack, however, was made on Berwick; and, as neither the duke nor the archbishop showed any further sign of an alliance with the Regent, it seems evident that D'Oysel did not understand that the prelate in his attachment to the house of Hamilton was strongly opposed to the policy of the French faction.

The battle of St Quentin, in August 1557, was a disaster for the French. Henry II., recognising that the Scots would not make war on England, resolved to hasten the marriage of the dauphin with the Scottish queen, in order that their countries might be still more closely united. On April 24, 1558, the marriage was celebrated. The duke could offer no opposition, but in the Parliament of December 14, 1557, sought and obtained confirmation of his right to

<sup>1</sup> Cal. of State Papers (Foreign), 1553-1558, p. 290. Wotton's letter was dated March 1, 1557.

<sup>2</sup> Teulet, ‘Relations Politiques,’ i. 300.

the crown, should the queen die without heirs. While the independence of Scotland was secured by a treaty, compacts were framed in France by which, in the event of Mary's death without heirs, the King of France was to have Scotland, and hold it till he received the money due for her education, her maintenance, and the defence of her country. The compacts were made in secret and caused no commotion; but the Scots were angry when they heard that their Commissioners had been asked to arrange for the crown-matrimonial being sent to France. The Commissioners had prudently replied that they were without instructions; and, when four of them died on the journey to Scotland, treachery was suspected. Sir James Melville relates that the Archbishop of St Andrews opposed the transportation of the crown-matrimonial, as he began to think that, if the young queen died without succession, his nephew "might the easlier be crowned, the Governor, his father, being already in possession."<sup>1</sup> Undoubtedly the proposal to grant the crown-matrimonial increased the resentment of the Scots against the French. Many of the

<sup>1</sup> 'Memoirs,' 47, 53. Melville said, on the authority of Henry Balnaves, that most of the clergy, under the influence of Hamilton, were against the transportation of the crown. He said, too, that Hamilton had been mainly instrumental in sending the queen to France, and in persuading the Governor to break the marriage-contract with Edward of England.

nobles, according to Bishop Lesley, began to favour the Reformation as a means by which their countrymen might be drawn away from the Regent. The archbishop, though he did not join them, was as anxious as they were to end the French domination, and was careful in no way to harass them.

Towards the end of 1557 the leading reformers resolved to unite by a common bond; and the Earl of Argyle, the first to sign, received a certain John Douglas into his house and employed him as a preacher.<sup>1</sup> However anxious the primate may have been to abstain from any appearance of persecution, he was forced by his official position to take notice of the reformers' arrangements for public worship and preaching; and accordingly on March 25, 1558, he intimated to Argyle that he was sending his cousin to confer with him. The cousin, David Hamilton, was instructed to represent that the archbishop held Argyle in great affection, and that it was heavy and displeasing for him to hear that he had been seduced and abused by an apostate. Sundry charges of heresy had been preferred against Douglas; and it was to be shown that, if he failed to correct him, the prelate himself would be guilty of the

<sup>1</sup> On John Douglas see Knox, i. 286, note. Argyle, in consideration of a lease of lands granted in March 1556 by the archbishop, agreed to defend him and his Church (Martine's 'Reliquiæ,' 143).

pestilentious doctrines. Should the earl desire instruction in the faith, a teacher would be supplied for whom the archbishop would answer. At the close of his communication to Argyle the archbishop wrote :—

“ Attour, your Lordschipe shall draw to good remembrance, and wey the great and hayve murmur against me, bayth be the Quenis Grace, the Kirk men, Spirituall and Temporall Estaitis, and weall gevin people, manyng, crying, and murmuring me greattumlie, that I do nott my office to thole sick infamous persons with sick perversett doctrin, within my diosey and this Realme, be ressoun of my Legasey and Primacey ; quhilkis I have rather susteained and long suffered, for the great luif that I had to your Lordschip and posteritie, and your freindis, and your house ; als beleving suyrly your Lordschippis wisdom should not have manteaned and melled with sick thingis that mycht do me dishonour or displeasur, considdering I being reddy to have putt good ordour thairto alwayes ; but hes allanerlie absteained, for the luif of your Lordschip and house foirsaid, that I bear trewly, knawing and seing the great skaith and dishonour and lack appeirandlye that mycht come tharthrowght, incaise your Lordschip remeid not the samyn haistelly, whareby we mycht bayth be qwyet of all danger,

quhilkis dowbtless will come upoun us bayth, yf I use nott my office, or that he be called, the tyme that he is now with your Lordschip, and under your Lordschippis protectioun."

Argyle, in a reply to the archbishop, made a bold profession of his faith. Referring to the alleged heresy of Douglas he wrote: "Your Lordschip regardis your conscience in the punishment thair of. I pray God that ye sua do, and examyn weall your conscience. He preaches aganis idolatrie: I remit to your Lordschippis conscience yf it be heresye or not. He preaches aganis adulterie and fornicatioun: I referr that to your Lordschippis conscience. . . . He preaches aganis all maner of abuses and corruptioun of Christes synceir religioun: I refer that to your Lordschippis conscience. My Lord, I exhorte yow, in Christis name, to wey all thir effaris in your conscience, and considder yf it be your dewitie also, not only to thole this, but in lyk maner to do the same."

A clear warning was given. "Last of all," Argyle wrote, "your Lordschip please to considder, how desyrous some are to have sedition amongis freindis . . . how that mony wald desyre na better game but to hunt us at uther. . . . Thare are diverse Houssis in Scotland by us, that professe the same God secreatly.

Thir desyre that ye begyn the bargane at us; and when it begynnys at us, God knawis the end thairof, and wha sall byd the nixt putt.”<sup>1</sup>

The archbishop's letter indicates that his interference with the earl's religious affairs was required by official propriety, and was not dictated by anger or by the cruelty of a persecutor; and assuredly Argyle, in spite of his reply, was in no way prosecuted or disturbed in his attachment to Protestantism. Yet shortly after the incident an old man, Walter Myll, was put to death for his faith; and, though the primate neither ordered the seizure of Myll nor rejoiced over it, he was legally responsible for the martyrdom. In Cardinal Beaton's time Myll had fled to the Continent, after refusing to say mass in the Church of Lunan, of which he was the priest, and had returned to Scotland in the happier days of Hamilton. “Setting aside all Papistry and compelled chastitie,” he married and laid himself open to further suspicion. After long watching, two priests seized him in Dysart and conveyed him to St Andrews, where he was imprisoned in the archbishop's castle. In due time the primate and other prelates assembled in the cathedral, and Myll was brought before them. At the close of the questions, which referred to his doctrines and

<sup>1</sup> Knox, i. 276-290.

practices, the old man said: "I am accused of my lyfe: I know I must dye once, and, therefore, as Christ said to Judas, *quod facis, fac citius*. Ye shall know that I will not recant the truth, for I am corne, I am no chaffe, I wil not be blowen away with the winde nor burst with the flaile, but I will abyde both."<sup>1</sup>

The Ecclesiastical Court pronounced Myll guilty of heresy, and decreed that he be delivered to a temporal judge for punishment, "which was to be burnt." Neither the Provost of St Andrews, who was the archbishop's steward of regality, nor the chamberlain would take part in the case; and eventually one of Hamilton's servants, more ignorant and cruel than the rest, acted as the temporal judge. The whole town was so offended, Foxe says, "with his unjust condemnation that the Byshop's seruauntes could not get for their money so much as one cord to tye him to the stake, or a tarre barrell to burne him, but were constrained to cut the cordes of their maisters owne pauillon to serue their turne."<sup>2</sup>

Walter Myll was burnt at St Andrews on April 28, 1558. Knox relates that a heap of stones was raised by the people of the city to mark the place of burning, and that by the archbishop's and priests' orders the stones were removed so often as the people restored them,

<sup>1</sup> Knox, i. 553.

<sup>2</sup> Ibid., 554.

until finally they were used for building walls. In his graphic style Lindesay of Pitscottie records that the provost offered to give Myll a trial by temporal judges, and that the primate answered, "quhy not, witht ane goode will I ame content that ze use that order upoun him, and mak me quytt of him ony wyse that ze lyke best, ffor I haue no will that he sould die at this time."<sup>1</sup> Pitscottie's narrative is valuable, as a record, if not of a fact, at least of a tradition that the archbishop was not anxious to secure the martyrdom of Myll.

The Regent was not involved in the proceedings against Myll, but Knox implies that she consented to the death. He tells that the Protestants complained of the unjust treatment of Myll, and that "as a woman borne to dissemble and deceave," she began to lament the cruelty of the bishop, and declared that the sentence had been passed without her knowledge. The man, she said, had been a priest, and, therefore, the bishop's officer had proceeded against him without any commission of the civil authority.

Myll was the last of the Protestant martyrs of Scotland. His execution was an official blunder, and did not stay the progress of the Reformation. Probably no man saw more clearly than the primate that the killing of a heretic could not

<sup>1</sup> Lindesay's 'Historie' (Scot. Text Soc.), ii. 134.

save the Church from ruin, but would inevitably hasten its doom. He had not sought to bring Myll to trial; and yet, had he sent him away blameless from the judgment-seat, he himself would have been accounted a heretic, and, had he consented to a milder punishment than death, he would have been condemned for showing mercy where, in the opinion of the Churchmen, mercy was a crime.

The death of Myll in no way intimidated the Protestants, and William Harlaw preached openly in Edinburgh, John Douglas in Leith, Paul Methven in Dundee, and others in Angus and Mearns.<sup>1</sup> Unless, then, the reformers were to be left free to pursue their course, there was need for the Churchmen to take action. Accordingly, the Rothesay herald was sent to Dundee to cite certain men to appear at Edinburgh on July 28, "for thair wrangus using and wristing of the Scripture, and for disputting upoun erroneous opinions and eiting of flesche in Lenterone and uthiris forbidding tymes contrar the actis of parliament."<sup>2</sup> Knox affirms that the Regent, incited by the bishops, who were moved by the friars, consented to summon the preachers; and Calderwood narrates that on July 19 they appeared in Edinburgh.<sup>3</sup> So many people con-

<sup>1</sup> Knox, i. 256.

<sup>2</sup> T. A., x. 370.

<sup>3</sup> Knox, i. 257; Calderwood, i. 344.

gregated that the trial could not proceed, but an order was issued that those who had entered the town without a warrant should repair to the Border. Obedience was not given without a protest. A company of men from the West, who had just arrived, proceeded to the chamber where the Regent and the bishops were assembled. Understanding that the order had been made at the pleasure of the priests, they made their complaint; and James Chalmer of Gadgirth, addressing the Regent, said, "Madame, we know that this is the malice and devise of thei Jefwellis and of that Bastard (meanynge the Bischope of Sanctandrois), that standis by yow: We avow to God we shall maik ane day of it. They oppresse us and our tennantis for feading of thare idle bellyes: thei truble our preacheris, and wold murther thame and us: Shall we suffer this any longare? Na, Madame: it shall nott be." The Regent declared that she knew nothing regarding the order, that the preachers would be discharged, and that accusations against the bishops would be heard.<sup>1</sup>

The unknown author of 'A Historie of the Estate of Scotland' narrates that the Dundee men presented a supplication to the Regent, that it should be lawful to read prayers publicly in the mother tongue, to preach the Word of God

<sup>1</sup> Knox, i. 258.

without the leaven of man's traditions, and to minister the sacraments of baptism and the Lord's Supper according to the institution of Christ and His apostles.<sup>1</sup> The Regent replied that she would advise in the matter, and soon after asked the archbishop to tell her what was to be done. The prelate's answer is not recorded.

A significant incident occurred on September 1, 1558, at the feast of St Giles. In ordinary circumstances the celebration might not have created a stir, but in the previous year "that great idole called Sanct Geyle was first drowned in the North Loch, after brunt, which raised no small truble in the toun."<sup>2</sup> Hamilton ordered the image to be replaced, and "because they obeyed him not he caused his curate, Tod, to curse them as black as cole, from the which they appealed to his unholy father the pope."<sup>3</sup> For the festival of 1558 an image was borrowed from the Greyfriars, and during the procession there were cries of "Down with the idol." "Some brag maid the Preastis patrons at the first," Knox reports, "but when thei saw the febilness of thare god (for one took him by the heillis, and dadding his head to the calsay, left Dagon without head or handis, and said 'Fye

<sup>1</sup> Wodrow Miscellany, i. 53.

<sup>2</sup> Knox, i. 256.

<sup>3</sup> Wodrow Misc., i. 54; Knox, i. 560; Extracts from the Records of the Burgh of Edinb., 1557-1571, 41.

upon thee, thow young Sanct Geile, thy father wold haif taryed four such') . . . the Preastis and Freiris fled faster than they did at Pynckey Clewcht." <sup>1</sup>

Year after year the number of the Protestants increased, and the leaders, united by their common bond, endeavoured to obtain a legal sanction for their organisation. A document setting forth their claims was prepared for presentation to the Estates. The Regent saw clearly that, were the claims granted, the churchmen would openly oppose her demand for the crown-matrimonial for the Dauphin. Yet she could not afford to alienate the Protestant lords, and by dissimulation alone could she keep them and at the same time retain the clergy. "I am nott unmyndfull," she said, addressing the Protestant leaders, "how oft ye have suytet me for Reformatioun in religioun, and glaidly would I consent thairunto, but yee see the power and craft of the Bischop of Sanctandris, together with the power of the duck and of the kirkmen, ever to be bent against me in all my proceadings; So that I may do nothing, onless the full authoritie of this Realme be devolved to the King of France, which can nott be butt by donatioun of the Crowne Matrimoniall; which thing yf ye will bring to passe, then devise what ye please

<sup>1</sup> Knox, i. 260.

in materis of religioun, and thei shalbe granted." Her words to the prelates were very different. "Ye may clearlie see," she said, "that I can not doe what I wald within this Realme, for these heretickis and confideratis of England ar so band togitther, that thei stop all good ordour. Butt will ye be favorable unto me in this suyt of the Matrimoniall Croune to be granted to my dowghtaris housband, then shall ye see how I shall handill these heretickis and traitouris or it be long." Knox reported these speeches in evidence of the dissimulation of the Regent, who took care that the petition of the Reformers was not submitted to the Parliament, though a protestation which they made was read.<sup>1</sup> The Regent, however, was able to persuade the Parliament of November 29, 1558, to grant the crown-matrimonial to her daughter's husband. The duke, with the archbishop, Cassillis, and others as witnesses, lodged a claim that the grant should not prejudice his interests as heir to the throne.<sup>2</sup>

The Parliament, under the control of the Regent, gave no countenance to the Protestants; but neither she nor the churchmen dared to lay hands on the leaders. The preachers, however, might be punished, and the primate summoned Willock, Douglas, and others to appear on February 2, 1559, at St Andrews. The Regent, in

<sup>1</sup> Knox, i. 293, 294, 312.

<sup>2</sup> A. P., ii. 508.

alarm when she heard they were to be accompanied by a multitude of men, asked Hamilton to postpone the trial, and "declared that she would send for the nobilitie and estates of the realme to advise for some reformation in religion." Mary of Lorraine had no desire to touch the Church, but princes were wont to threaten prelates whom they wished to bring into subjection. The intervention of the Estates was a menace not to be despised, and the primate called a General Provincial Council to assemble in Edinburgh.<sup>1</sup>

The condition of the realm through the ferment of protestation demanded the attention of the civil authorities. Yet they did nothing. There were Acts by which heretics might be prosecuted, and these could be enforced. The archbishop for himself, if not for the churchmen, was against an aggressive policy, and in calling the Provincial Council showed his liking for the ways of peace. He had published a Catechism to serve as a manual for the clergy, and canons had been passed to remove scandals. The clergy, however, had not been enlightened, and their manners had not been changed. In spite of his failures the primate summoned the Council of 1559, but it met when the day for petty changes was past. Mary of Lorraine, though sincerely attached to

<sup>1</sup> Wodrow Misc., 55.

the Church, was powerless to crush its enemies without the help of the Frenchmen, and they were hated by the people. None the less they were to be used; and, when the Provincial Council had assembled and dispersed, the primate was to be her helper.

Social forces beyond the regions of theology and international politics were helping the advance of the Reformation, and among them was a fierce resentment against the friars for usurping the patrimony of the poor. The "Beggars summons," which in January 1559 was posted on the gate of every monastery belonging to the friars, was headed, "The Blynd, Cruked, Bedrelles, Wedowis, Orphelingis, and all other Pure, sa viseit be the hand of God, as may not worke, to the Flockes of all Freires within this Realme, we wische Restitutioun of Wranges bypast, and Reformatioun in Tyme coming, for salutatioun." In the "Summons" it was alleged that money given to the poor had been stolen by the friars, who were warned to remove from their houses, that the lawful proprietors might obtain an entrance. If the removal did not take place, the beggars, with the help of God and His saints on earth, would take possession of their patrimony.<sup>1</sup>

The General Provincial Council was duly called

<sup>1</sup> Knox, i. 320.

by the primate to meet at Edinburgh on March 1;<sup>1</sup> and, according to one of the Protestant records, the primate on "Sunday, the 15th of March, sang a magnifick Mass of the Holy Spirit, as they tearmed it, for a beginning of the deformation."<sup>2</sup> Articles were submitted from certain lords and barons, professed supporters of the Church, which dealt with the morals of the clergy, the preaching of God's Word by educated men, and the saying of the common prayers in the vulgar tongue.<sup>3</sup> The Council decided, according to Lesley, "that they had no power to alter the ordour of publique prayers and administratiōne of the sacramentis, prescryved and observed so mony yeris be the Catholique Kirke; and thairfoir wald not agre that any prayers war used publicklie in the volgar tounge, leaving to everye manis discretione to use his private prayers in quhat tounge pleased him best."<sup>4</sup> The same men urged that the Church should be strongly defended, and that no one should be permitted to dishonour the sacrament of the body and blood of Christ or the service of the Mass: that the

<sup>1</sup> Robertson's 'Statuta,' ii. 142, 152, 300. On the attitude of the Archbishop of Glasgow, see M'Crie's 'Knox,' i. 249.

<sup>2</sup> Wodrow Misc., 56.

<sup>3</sup> Robertson's 'Statuta,' ii. 146-151. Robertson holds that the articles presented to the Regent by the Reformers were not submitted to the Council (ii. 300, 301).

<sup>4</sup> Lesley's 'History,' 270.

sacraments of marriage, baptism, and the body and blood of Christ should be properly administered by ordained persons; and that no one should be allowed to injure churches and religious houses or their ornaments. When the Council passed to the business for which it had been called, canons were framed dealing with the conduct of the clergy, preaching, mortuary dues, tithes, church lands, consistorial courts, the manner of baptism; and it was decreed that brief declarations of the effect, force, and use of the sacraments of baptism, the eucharist, extreme unction, and marriage should be published by authority of the Council. The declaration of the sacrifice of the Mass, which was known from its price as "The Twopenny Faith," has come down to us, but the others do not seem to have been prepared.<sup>1</sup> In form the declaration was a godly exhortation set forth by the Archbishop of St Andrews, and addressed to the ministers of the sacrament. Whoever the author may have been, he was orthodox and reverent, and wrote in no mean style. Though the Council was a reforming Council, so far as discipline was concerned, its statutes were powerless to stay the movement of revolution; and the year after it met the Reformation was accom-

<sup>1</sup> Robertson's 'Statuta,' i. 160; Gordon's 'Scotichronicon,' ii. 295.

plished. Lesley in his zeal to exalt the discipline of the ancient Church declares that many of the younger clergy, being oppressed by the statutes, joined the ranks of the Protestants.<sup>1</sup>

In connection with the enactment "*De observatione decreti concilii Basiliensis contra concubinos*," it was announced that the Archbishops of St Andrews and Glasgow, in order to set an example, were submitting themselves for advice and admonition to certain clerics, among whom were the Provincial of the Dominicans and the subprior of St Andrews.<sup>2</sup> The Bishop of Moray may have been ignorant of this pious humiliation when, according to Pitscottie, he pled that it was as lawful for him to retain his concubine as for the Archbishop of St Andrews to continue with his mistress. Pitscottie tells how after the Council the archbishop, the Lord James Stewart, and John Wynram "prehit the word of God" in Fife, and says that when "the sermon was done Johnne Hammiltowne, bishop of Sanctandros, start up and maid ane exhortatioun to the peopill deir of the heiring, that is to say commanded the peopill under the pane of cursing to gif ony credence or ear or attendance to the new preaching and doctrin of soutteris tailzeouris skynneris baksteris or ony uther quhat-

<sup>1</sup> Lesley's 'History,' 271.

<sup>2</sup> Robertson's 'Statuta,' ii. 153.

sumevir that had nocht his licence and admissioun thairto or thane my lord James." It is recorded in 'The Historie of the Estate of Scotland' that on March 23, while the Provincial Council was still sitting, the Regent issued a proclamation that no one, without the permission of the ordinary, should preach or minister the sacraments, and that in April some of the preachers were put to the horn. Mary of Lorraine, having secured the crown-matrimonial for the Dauphin, was not constrained by her fair promises to the Protestant leaders; and pursuing to her own inclination the policy of the Guises, who were the ruthless champions of the Church, entered on a campaign of persecution. When the Earl of Glencairn and Sir Hugh Campbell of Loudon remonstrated, she answered that "it became not subjectis to burden thare Princess with promisses, farther then it pleaseth thame to keape the same." It suited her to say that "sche wald advise," and immediately afterwards to order the preachers to appear on May 10 at Stirling.<sup>1</sup>

Knox arrived in Scotland on May 2, and the Regent "caused him to be blowne loud to the horne the third day after."<sup>2</sup> Undaunted, he went to Dundee to meet the leading Protestants of Angus and Mearns, and accompanied them to

<sup>1</sup> Knox, i. 316, 317.

<sup>2</sup> Wodrow Misc., 57.

Perth. Before going further they sent Erskine of Dun to announce at Stirling that a multitude would attend the preachers and assist them in their just defence. In alarm the Regent promised to put off the trial, so that many of those who were waiting at Perth returned to their homes. She did not keep her word, however, and the preachers failing to appear on May 10 were outlawed. At Perth on the following day Knox denounced the Mass as idolatrous, and a quarrel arose between a priest who would say Mass and a youth who would hinder him. Knox narrates that "the preast heirat offended gave the chyld a great blow, who in anger took up a stone, and casting at the preast did hytt the tabernacle and brack doune ane ymage; and immediatlie the hole multitude that was about cast stones, and putt handis to the said tabernacle and to all utheris monumentis of idolatrie." The Reformation, in so far as it was a work of destruction, was begun at Perth; and the scene was the first in a tragedy of civil war.<sup>1</sup>

The tumult roused the Regent, who ordered levies from Clydesdale, Stirlingshire, and the Lothians to assemble at Stirling; while the insurgents proceeded to fortify Perth. D'Oysel

<sup>1</sup> Knox, i. 320 ff.; C. S. P., i. 455. The destruction at Perth was not the first "excess" (A. P., ii. 470), but it was the first scene in the great act which we call the Reformation.

with a force of 8000 French and Scots marched to Auchterarder, and the Lord James Stewart with the Lords Sempill and Argyle was sent to Perth to ascertain the Protestant demands. Freedom of worship and security for the worshippers were asked. If these were given the town would be surrendered. The Regent was in no mood to yield, and ordered all men "to avoid the town under the pain of treason." She was compelled, however, to arrange terms, when the Protestant Earl of Glencairn with 2500 men drew near to Perth. Freedom of worship was granted, and a promise given that French troops would not be quartered in the town.<sup>1</sup> Knox declares that in these proceedings no man was more opposed to the Protestants than the duke, who was "lead by the crewell beast, the Bischope of Sanctandrois." Undoubtedly the duke was working with the Regent, and the archbishop did not oppose an attack on the destroyers of the Church's property; but neither the one nor the other was her chief adviser. As early as January Sir Henry Percy showed the duke that his succession to the crown was endangered by the queen's marriage, and though the duke thought lightly of the marriage he

<sup>1</sup> Knox, i. 340 ff.; Wodrow Misc., 58; Buchanan's 'History,' book xvi. Grub (Hist. ii. 70) says how far the statements of Knox and Buchanan "are to be relied on is very doubtful." Cf. Bellesheim (Engl. transl.), ii. 269.

promised to keep peace with England, however much the King of France might desire the contrary.<sup>1</sup>

The Regent entered Perth on May 29, with the duke, the archbishop, the Earl of Atholl, and the Earl Marischal.<sup>2</sup> The treatment of the Protestants and the quartering of Scots in the French pay were contrary to the terms to which she had agreed; and, indignant over the broken pledges, Argyle and the Lord James called the gentlemen of Angus and Mearns to meet on June 3 at St Andrews, "for Reformation to be maid thair."<sup>3</sup>

Knox, the most intrepid champion of reformation, proposed to preach in St Andrews; and naturally the primate, knowing what had taken place at Perth, was anxious for his city. Taking with him a company of spearmen he entered the castle, and sent word to the Protestant lords "that in case Johne Knox presented him selff to the preaching place, in his town and principall church, he should gar him to be saluted with a dosane of culveringis, quherof the most parte should lyght upoun his nose." Knox appealed to them, however, to suffer him to speak in the place where he had been first called to the

<sup>1</sup> C. S. P., i. 441.

<sup>2</sup> Calderwood's 'History,' i. 460; Lesley's 'History,' 273.

<sup>3</sup> C. S. P., i. 469; Knox, i. 347.

office of a preacher, and they did not interfere. The sermon, delivered on the second Sunday of June, was on the purification of the temple, and was followed, with consent of the magistrates, by the removal of all monuments of idolatry in the city. The archbishop hastened to Falkland, where was the Regent with "hir Frenchmen," and, according to Knox's narrative, his hot fury did so kindle her anger, though the love was very cold between them, that it was resolved to invade St Andrews. Those who were at Falkland, Knox says, "mycht have sene embrasing and kyssing betuix the quene, the duke, and the bischope. Bot Maister Gavine Hammiltoun, gapare for the bischoprik of Sanctandris, above all other was lovinglie embrased of the quene." There was, however, no invasion of St Andrews. "By the motion of the Bishop of St Andrews the queen commanded the duke and M. Dosel to enter Couper by might";<sup>1</sup> but there they were met by such a body of the enemy "that it appeared as men had rayned from the cloudis." A truce was settled; and the burning of the images at St Andrews, on the spot, some said, where Walter Myll had perished, was not avenged.

Immediately after the disturbances at Perth and St Andrews the insurgents established themselves at Dundee, Stirling, and Edinburgh. The

<sup>1</sup> Cal. of State Papers (Foreign), 1558-1559, 862.

capital, however, was not for any time in their hands. Speaking for his faction Knox says, "partelie by hir craft and policie, and partelie by the lawbouris of the Bischopis of Sanctandrois and Glasgw (the Regent) procured the hole nomber that war with hir to consent to persew us with all creweltie and expeditioun, befor that we culd haif our cumpany, whiche than was dispersed for new furnessing, assembled agane." An army led by D'Oysel and the duke entered Leith on July 24, and soon was ready to attack Edinburgh. Terms, however, were arranged. Freedom of worship was guaranteed to the Protestants, and an undertaking given that French troops should not be introduced into the city. Having these promises the insurgents departed to Stirling, but as they did not trust the Regent they resolved to ask help from England.<sup>1</sup> She, on the other hand, was looking to France.<sup>2</sup>

Knox asserts that the duke and Huntly let it be known that, if French troops were introduced into Edinburgh, they would leave the Regent's party; while Kirkcaldy of Grange reported that after the Protestants had taken the capital "the duke and most of the nobility

<sup>1</sup> Knox, i. 377; Buchanan, xvi. 38; Wodrow Misc., 64; Lesley's 'History,' 277. The undertaking regarding the French troops is not mentioned by Lesley. Cf. C. S. P., i. 500, 503.

<sup>2</sup> Teulet, i. 311.

told the queen they were of the same religion." Cecil's information was "that all believe the duke will side with the Protestants, if the Earl of Arran were come";<sup>1</sup> and he himself wrote, "what may the duke expect, whose eldest son was forced to flee for his life to Geneva; and his second, lord David, cruelly imprisoned, . . . also his duchy of Chastelherault seized by the Crown? While the young queen swears to destroy all the house of Hamilton, yet the old Regent can enchant the duke's sons to hear nothing. God open his heart and prevent his being the 'slaughter man' of his own family."<sup>2</sup>

After the Regent got possession of the city "she maintained still," says the author of '*A Historie of the Estate of Scotland*,' "the masse in the palace of Hallyrudhouse, wher the Papists resorted to her, and amongst the rest the Bishopp of St Andrewes, who, upon a day in this moneth of August, past to the pulpitt in the Abbay, shewing his commeing; and after he had vomited a little of his superstition he declared that he had not been weill exercised in that profession, therefore desyred the auditors to hold him excused. In the meane tyme he shewed unto them that there wes a learned man, meaning Fryer Blake, who wes to come immediately after him

<sup>1</sup> C. S. P., i. 480, 487; Teulet, i. 320.

<sup>2</sup> C. S. P., i. 506.

into the pulpitt, who would declare unto them the trueth, and therefore desyred them to lett him cease.”<sup>1</sup>

Henry II., King of France, died on July 10, 1559, and was succeeded by his son Francis, the husband of Mary Stewart. The power of the Guises was not broken; and, as they were determined to retain their hold on Scotland, they despatched in August a company of 1000 men. The Scottish Protestants, who recognised a new menace to their party and to the independence of Scotland, were able to display their patriotism as well as zeal for their religion.<sup>2</sup> A convention assembled on September 10, at which Arran, who had just arrived, was present;<sup>3</sup> and immediately after the meeting the leaders passed to Hamilton, where they persuaded the duke to avow himself a Protestant.<sup>4</sup> On September 24, a step was taken of supreme importance for the country. He and the “remanent of the nobilitie and counsale of Scotland” authorised William Maitland of Lethington, the Regent’s secretary, to treat with the Queen and Council of England.<sup>5</sup> In the previous month John Knox had been sent

<sup>1</sup> Wodrow Misc., 67. Lesley (*De Reb. Gest. Scot.*, 559) says that St Giles was solemnly reconciled by a papal nuncio; but cf. p. 117.

<sup>2</sup> C. S. P., i. 535. Sir James Melville maintained that Henry was aware that the commotions in Scotland were fomented by the French officers who were with the Regent.

<sup>3</sup> *Ibid.*, 538. Knox, i. 383 n. 413.

<sup>4</sup> Cf. Tytler’s ‘History,’ iii. iv.

<sup>5</sup> C. S. P., i. 543.

to England to make representation that if Scotland received help she would join in a league against France. Elizabeth hesitated to promise aid, as so many of her subjects were Catholics, but none the less she commissioned Sir Ralph Sadler to go to Scotland, and furnished him with a sum of £3000.<sup>1</sup> The money was useless to effect a Reformation, but the sovereign who gave it might be persuaded by Lethington to increase her generosity and send men to Scotland.

The archbishop was at Hamilton in the last days of September, and in spite of the duke's secession from the Church the brothers were not estranged. Yet Sadler reported that the duke, whose son's interests were involved, had given a commission for the destruction of Paisley Abbey: his next tale was that the abbeys of Paisley, Kilwinning, and Dunfermline had been suppressed and the images burnt. It was not surprising that he should hear that the archbishop and the Abbot of Kilwinning were angry.<sup>2</sup> On October 12 Randolph wrote to him, saying: "The Archbishop of St Andrews bade farewell to the Regent yesterday. The duke has forbidden him his house and that any man shall pay rent to him." After declaring the Abbot

<sup>1</sup> C. S. P., i. 511-513, 517, 520, 521.

<sup>2</sup> Sadler, ii. 2, 6. In 1555 twelve persons "armed in warlike manner" had gone to Paisley Abbey and attacked the granitar "for his slaughter" (Pitcairn's 'Criminal Trials,' i. i. 382).

of Kilwinning to be as false as his cousin the archbishop, Randolph added, "the Archbishop of St Andrews castle will be taken to-day by the Protestants."<sup>1</sup> When at Hamilton the prelate tried, but failed, to persuade the duke to leave the Protestants; and it is not improbable that the brothers were alive to the value of an arrangement by which they should be in different factions. No man could say what would be the results of the revolt of the reformers and of the rebellion of the patriots, or nationalists, against the Regent and her French policy. If the two brothers, the leaders of the Hamiltons, were in opposing factions, the safety of their house might be secured. The archbishop, writing from Hamilton to the Regent on September 28, represented that he had endeavoured to separate the duke from the Protestants, and at the same time admitted the failure of his attempt.

"Sene my cumyng in thir parts," he said, "I haiff bene doand diligence as I mycht best do to haiff had my lord to your grace effect and plesour and to leif thir vane purpos laitly tane: quhome I fynd greitly subieckit and subdewit to the new band that he his laitly mellit with, and thairfor can nocht as zeit bryng ony gud purpos to effect of hyme. Albeit I thynk and

<sup>1</sup> Cal. of State Papers (Foreign), 1559-1560, 76.

fynds his mynd that he hes oursene hymself rycht far: nochtheles he can nocht cum bakvard for na sayings as zeit withtout the avis of the leif, and tharfor presently I can nocht gyff your grace counsell to mak ony delay to provid for the vorst and to mak yourself stark in all sorts." After intimating that the insurgents intended to be in the field at Stirling on October 15, or soon after, he added: "bot thai keip all thar secret purpos clois fra me, albeit I will get word tharof schortly eftir my beying in Paslay and sall advertis mair perfitly. Gif my lord Erskyn and the castell be sur to your grace service thai noder dar nor will cum to Edinburcht and yt will brek all thar interpris giff the lord Erskyn serve your grace trewly." He urged the Regent to make sure of Erskine: promised to write again to her, though he confessed that "presently all secret materis is clene hyd fra me in all sorts becaus I will nocht grant to ony of thair desirs that ar onresonabill or vrangis." He stated, too, that they were sending round the band, and that it was reported that Arran was being taken to Fife and Angus to win men over.<sup>1</sup>

On the following day, September 29, the archbishop was in Paisley, from which he

<sup>1</sup> C. M. G.

addressed another letter to the Regent, informing her that the lords were trying to represent their action as being for the good and weal of the realm, and advising her to make her "reasonable offers" more widely known, and to promise conducts to those wishing to put their cases forward. By so doing many would be kept or withdrawn from the side of the insurgents. He told her that Argyle was getting ready: "the word is heir that he gyffs tham the persuasioun that the France ar cumin in and satin down in this realm to occupy it and to put furtht the inhabitants tharof . . . and to put away the blud of the nobilite and maks the exampill of Brytanny."<sup>1</sup>

While the Protestant leaders were conferring at Hamilton, news reached them that the Regent was fortifying Leith, and they had good cause to be alarmed on hearing that a French contingent had arrived. In the middle of October the insurgents succeeded in entering Edinburgh. After deposing the Regent, by an act which was simply an incident in a revolution, they prepared to attack Leith, where she had fixed her quarters. Their task, however, was beyond their powers. In every skirmish they were worsted, and in a few weeks they departed from Edinburgh. Bishop Jewel, in a

<sup>1</sup> C. M. G.

letter to Peter Martyr, spoke about the fortifying of Leith. "They came," he said, "to an engagement in which the Bishop of St Andrews, a soldier (one worthy to be the slave of a woman), was deserted by all his own people before the battle. Only two little boys remained to him, I suppose that he might not have to return to his mistress unattended."<sup>1</sup> The archbishop had accompanied the Regent to Leith, and may have been in an engagement, as described by Jewel; but when the insurgents had gone from the capital he resumed his priestly offices, "and with his Balamites came to St Giles Kirk to hallow the same, which they alleged to be polluted, by reasone it had been purged of idolatrie in the moneth of July, and that the Evangell had beene preached in it, and the sacrament rightly administered; therefore the said Bishopp, with his masking-goods, cross, capp, and miter, after he had mumbled over some Latin words, he begunn to cast his holy water in all the parts of the said Kirk, and then immediately sett up their idolatrous Messe; for there wes altars already built."<sup>2</sup>

The Regent made no efforts for peace. Knox narrates that "advertisements with all diligence pas to the Duck of Guise, who then was King

<sup>1</sup> Cal. of State Papers (Foreign) 1559-1560, 244.

<sup>2</sup> Wodrow Misc., 68, 73.

of France (as concerning power to command), requiring him then to make expeditioun, yf he desyred the full conquest of Scotland." Mary of Lorraine could not have desired the full conquest of her daughter's kingdom; though, caring nothing for the long tradition of Scottish independence, she was eager for an alliance which would secure a permanent union, in some form, of Scotland and France. In her judgment the Church in Scotland was in danger, and for its safety the Protestants, who were also her political enemies, must be destroyed. Her hope was that France, the champion of the Catholic Church, would aid her; and her crusade was begun. On Christmas day the Protestant leaders were driven from Stirling. French troops were sent to Fife, where they were met by a force under Argyle and the Lord James Stewart; but they pressed on till they were within a few miles of St Andrews. Suddenly their march was stayed by a report that a fleet was in the Forth.<sup>1</sup> The ships were English; and their arrival in January 1560 meant that at last the Queen of England had listened to the supplications of the Scottish Protestants and would help them against their Catholic and foreign oppressors. The nobles almost to a man, and even some of the Church-

<sup>1</sup> Teulet, i. 403; Knox, ii. 13.

men, had left the Regent. Thus was England helping a nation and not a faction. The Lords Bothwell, Borthwick, and Seton, also the Archbishops of St Andrews and Glasgow, were named in an "Intelligence from Scotland" as being with the Regent. Against her were the insurgents, and they were many, seeking freedom from ecclesiastical, political, and military tyranny.<sup>1</sup> It was explicitly stated to the English Privy Council that the Archbishop of St Andrews had declared for the French.<sup>2</sup>

Throckmorton, writing to Elizabeth on February 20, showed how the Scots after the death of Henry VIII. had desired to expel the French and enter into an alliance with the English. "If," he said, "they are deceived in their opinion and not succoured, the sequel of their doings is evident; and whatsoever promises are made to the Bishops of St Andrews, Arran, Argyle, Glencairn, or others, their heads are sure to pay for it, if the French gain any advantage over them."<sup>3</sup> The archbishop, having joined the Regent, had no reason to fear the threatened danger which the English intervention was to divert; but it is worthy of note that Throckmorton associated him with "the lords of the congregation." His political sympathies were with these lords in

<sup>1</sup> C. S. P., i. 566.

<sup>2</sup> Cal. of State Papers (Foreign) 1559-1560, 392.

<sup>3</sup> Ibid., 750.

their opposition to the French, but his union with the Regent was inspired by his desire to serve the Church or perhaps to serve the house of Hamilton. Unless prepared to desert the Church he was compelled to side with the Regent.

Before the arrival of the English fleet an incident had occurred, causing the Regent to weep "very sore." Martigues, a French noble, reached Leith on January 12, and passed to Edinburgh, where in presence of the Archbishops of St Andrews and Glasgow he had an interview with her. The morning after the meeting his two vessels with money, arms, and horses were taken.<sup>1</sup> La Marque, another Frenchman, was seized on the 14th and carried off to Dumbar-ton. Permission was given to communicate with the Regent, and the archbishop's servant carried the letter. The same servant, as Randolph afterwards reported, "brought to the Abbot of Kilwinning her answer to La Marque with a letter to himself; complaining rather of the disobedience in taking him than that his coming 'imported her much,' she having heard from Martigues . . . all he had to say. . . . The bishop wrote also his mistrust of the English, the little chance of any aid from them, and that they had retired from Berwick."<sup>2</sup> The notable fact in the incident, so

<sup>1</sup> C. S. P., i. 616.

<sup>2</sup> Ibid.

far as the archbishop was concerned, was his calculation that the English would not help the Scots, and it may be that in siding with the French he was taking what, as he thought, was the safe course. The progress of the Frenchmen in Fife was checked, and they were glad to find a road to Edinburgh. In their retreat they destroyed one of the duke's houses; and his men in turn seized "a faythefull chaplayne and paynefull" who by command of the archbishop had accompanied the Frenchmen. "There was found about him a bill of as many as the bishop had named to be saved from spoiling in Fife." A copy of this was sent to the Lord James, that the bishop's friends might be known and himself put in the prison of Glasgow.<sup>1</sup> The prelate was not imprisoned, but he was said to be in despair. As Randolph reported, "the Bishop of St Andrews desires some poor place to retire to: their case is pitiful, when their clergy begin to fail them."<sup>2</sup>

In spite of his distress Hamilton continued to support the Regent, and was with her on February 16 when the Chester herald appeared, bearing a communication from the Duke of Norfolk. The herald, questioned regarding the English ships, gave a diplomatic answer. He afterwards reported that none of the nobility

<sup>1</sup> C. S. P., i. 642.

<sup>2</sup> Ibid., 647.

but the Bishop of St Andrews was of the dowager's Privy Council.<sup>1</sup>

Thanks to the intervention of Elizabeth, the Protestants were too strong to be crushed; and the Regent, represented by the archbishop, the Earl of Morton, and Lord Erskine entered into a conference on April 11, discussing terms with the men she would have swept away.<sup>2</sup> Mary of Lorraine was in difficulty and distress. The people hated her rule; reinforcements from France did not arrive; a painful disease was killing her. Leith, which was garrisoned by Frenchmen and strongly fortified, was no place for a sick woman. In company with the archbishop she entered Edinburgh castle, where she was to die.<sup>3</sup> By a secret arrangement, made on February 27 at Berwick, an English army crossed the Border; and, strengthened by a band of Scots, proceeded to lay siege to Leith.<sup>4</sup> A defence was made with great skill, and the Frenchmen could not be dislodged. Bravely they held their position till, on June 10, the whole political situation was changed by the Regent's death.<sup>5</sup>

For eighteen years Mary of Lorraine had guarded her daughter's interests, and had united

<sup>1</sup> C. S. P., i. 662.

<sup>2</sup> Ibid., 725.

<sup>3</sup> Diurn. of Occurr. Lesley's 'History,' 284.

<sup>4</sup> C. S. P., i. 665.

<sup>5</sup> Wodr. Misc. 83. On this date cf. Hay Fleming's 'Mary Queen of Scots,' 216.

with the cardinal and the Hamiltons in frustrating the English designs of conquest. Yet she lived to see a great mass of the people rejoicing over help from England, and it was she who had turned them towards the ancient enemy. Her daughter was the Queen of Scotland, as she was by marriage the Queen of France, and she herself acted wisely in labouring for the alliance of the two countries. But the alliance she ultimately sought was a union dangerous to the independence of the smaller nation. Frenchmen were elevated to offices of state which Scots had always held; and French troops formed her standing army. With the aliens at her command she tried to crush the enemies of the Church, and only multiplied her own. Scotsmen did not suffer lightly the rule of the Frenchmen and their arrogance, and there were many who from patriotism more than from religion passed into the Protestant ranks. The policy of Mary of Lorraine, while her own purpose was altogether frustrated, was in the end of supreme advantage to the Reformation; and, though amiable in character and attractive in manner, she was, in the last years of her rule, a mischievous protector of Scotland and a dangerous guardian of the Church.

Before the death of the Regent negotiations for ending the war were opened by England and

France, and at Berwick, on June 14, preliminary articles were arranged. Events showed how intense was the feeling against the Frenchmen. No one dared to show them any favour, and the archbishop would not venture out of the castle of Edinburgh. One of the Berwick articles sanctioned a conference of the French commissioners with the archbishop, the Secretary of Scotland, and the Justice Clerk ; but, though offered a guard, the prelate would not leave his safe retreat.<sup>1</sup>

On July 6 the Treaty of Edinburgh was concluded, by which the French domination in Scotland was brought to an end. No foreigner was to hold an office of state, and the French troops, except 120 men, were to be sent back to their own country. The Government was to be entrusted to twelve councillors, nominated by the queen and the Estates, who were to hold office till the return of the sovereign. The treaty made no provision for the settlement of religion ; but the Estates were to meet, and it was inevitable that measures affecting the Church would be considered.<sup>2</sup>

The Scottish Estates assembled on August 3 for business of paramount importance. The

<sup>1</sup> C. S. P., i. 815. Cal. of State Papers (Foreign), 1560-1561, 246, note.

<sup>2</sup> C. S. P., i. 845-855, 883. Keith's 'History,' i. 291-306.

prelates, who knew well that the Church was in grave danger, were powerless to prevent the meeting. After the conclusion of the treaty they retired from the capital, and at Paisley the archbishop had his private mass. He perseveres, wrote Randolph, "a sore enemy to this cause, as much as he is able to do with his tongue, for otherwise he has not much wherewith."<sup>1</sup> He found opportunity, however, to communicate with the Bishop of Valence, one of the commissioners who arranged the treaty, and set forth the demands of the Churchmen. They asked that their houses taken during the insurrection should be restored, that they themselves should be made sure against "harne and skaith in thair bodies," that the prelates should be free to attend the Parliament and vote according to their consciences, that the queen's commissioner should prevent the alteration of any Acts affecting the constitution of the Estates, and that all new Articles should be submitted to the king and queen.<sup>2</sup> There was no indication that the archbishop anticipated the coming revolution, and there was no suggestion of a scheme of reform which might save the Church. He evidently trusted that the royal authority would prevent any sweeping change.

Hamilton did not join the procession at the

<sup>1</sup> C. S. P., i. 872.

<sup>2</sup> Keith's 'History,' iii. 2, 3.

opening of the Parliament, but he attended the meetings.<sup>1</sup> "The assemblie was great," Knox says, "nochtwithstanding that sum, alsweill of thame that be callit Spirituall as Temporall Lordis, contemptuouslie did absent thame selffis: And yit the cheif pillaris of the Papisticall Kirk gave thair presence, sick as the Bischoppis of Sanctandrois, Dunblane, and Dunkell with otheris of the inferiour sort, besydeis thame that had renunceit Papistrie, and oppinlie professit Jesus Chryst with us." Many were pleased that "the two olde byshops (were) none of the articles."<sup>2</sup> After the Parliament had been constituted, instructions were given to prepare a Confession of Faith, and in four days Knox and his associates presented their document. "We thought good before all things," Maitland of Lethington wrote to Cecil, "to pass the Confession." Till the adoption of the Westminster Confession, in another century, the Confession ratified by the Estates in 1560 expressed the faith of the Scottish people, and in its dignified and lofty style was worthy of the national revolution.

Lethington, who acted as "Speaker," showed,

<sup>1</sup> Diurn. of Occurr., 61.

<sup>2</sup> C. S. P., i. 879. Spottiswoode says: "In electing the Lords of the Articles, the Noblemen that had the nomination of the clergy passing by such amongst them as they knew to be Popishly affected made choice of the Bishops of Galloway and Argyle, &c., . . . at which the prelates stormed mightily." Cf. Crawford's 'Officers of State,' 377.

in describing to Cecil the proceedings of the Parliament, how the Confession was passed by common consent. "It is true," he wrote, "the Archebishop off St Andrews, the Bishops off Dunkeld and Dunblane, and two off the temporall lordes did excuse themselffes that they wer not ready to speake theyr jugement, for that they wer not sufficiently avysed with the book. This far they did liberally profes, that they wold aggre to all thing myght stand with Godes Word and consent to abolish all abuses crept in in the Churche not agreeable with the Scriptures—and asked longar tyme to deliberat on the book propounded. Wherby they did in a maner conferme our doctrine, wheras they having liberte to speake what plesed them durst not impugn it, and uterit theyr aune ignorance to theyr confusion."<sup>1</sup> It appears that the archbishop desired to have a copy of the book, and it was not denied him. Some thought that he wished to send it to France, rather than to verify it or reform his conscience.<sup>2</sup> Randolph's account of the Parliament, though less detailed, is not different from Lethington's. "On the ratification of the Confession of Faith," he wrote, "the Bishop of St Andrews in many words said in effect—it was a matter he had not been accustomed with, and had had no

<sup>1</sup> C. S. P., i. 885.<sup>2</sup> Ibid., 881.

sufficient time to examine it or confer with his friends; howbeit, as he would not utterly condemn it, so was he loth to give his consent thereto.”<sup>1</sup>

Lethington's words point to the fact that Hamilton accepted the fundamental Protestant principle of an appeal to the Bible in matters concerning the faith. Yet he had not the courage to profess himself a Protestant, and in the Parliament he presented a sorry spectacle. The man who was the official guardian of the old doctrines, the legate of the Pope, and the primate of the Church in Scotland, did not dare to contend for the ancient institution. In presence of her enemies he was dumb. Some other man, with the sympathies of the primate and greater strength of mind and heart, might have changed the face of religion, but John Hamilton had neither the passion of a revolutionist nor the ardour of a reformer. The Earl Marischal, voting for the Confession, declared, “For seing that my Lordis Bischoppis, who for thair learing can, and for the zeall that thei should beare to the veritie wold, as I suppose, ganesay anything that directlie repugnes to the veritie of God; seing, I say, my Lordis Bischoppis heir present speakis nothing in the contrair of the doctrine proponed, I can nolt

<sup>1</sup> C. S. P., i. 886.

but hold it to be the verie trewth of God, and the contrarie to be deceavable doctrine.”<sup>1</sup> If the earl’s words were touched with sarcasm, they were not stained with falsehood or slander. The prelates of the ancient Church did not repudiate the doctrine of the Confession, and the primate, at least, was almost persuaded to be a Protestant. This man, who at one time followed in the way of the reformers, but under the subtle influence of the cardinal returned to the old paths, never displayed the fanaticism of a bigot. His Catechism showed his moderation; and in agreeing to all things standing with God’s Word, and consenting to abolish all abuses in the Church contrary to Scripture, he undoubtedly yielded his right to be the Church’s advocate, but almost certainly did not violate his most sacred convictions. And yet he had neither the strength of a hero nor the courage of a martyr, and did not for the sake of truth give up his high office with its great possessions. In a letter to the Archbishop of Glasgow, written on August 18,<sup>2</sup> he declared that he could not think the sovereigns would let the country be oppressed by subjects, and it has been alleged that he attached little or no importance to acts of “the so-called Parliament of 1560.” It does seem that he trusted to the intervention of the

<sup>1</sup> Knox, ii. 122.

<sup>2</sup> Keith’s ‘History,’ iii. 4.

sovereigns, though he might have judged that after the treaty which had just been concluded they would not venture to coerce the nation. An interesting fact was communicated in the same letter. "All thir new precheris," he said, "perswadis openly the nobilitie, in the pulpit, to putt violent handis, and slay all kirkmen that will not concurr and tak thair opinion; and openly reprochis my Lord Duk that he will nocht begin first, and oder to cause me to do as thai do, or els to use the rigour on me be slauchter, sword, or at the leist, perpetuall prison: And with tyme, gif thai be thollit, na man may haif lyf bot without thai grant thair Artickilis; quhilk I will nocht."<sup>1</sup> Hamilton was a bolder man when writing this letter than he was when the Confession was under the consideration of the Parliament; and though he never agreed to the articles of the preachers, he failed from want of skill or of conviction to impugn these articles or to defend the doctrines of the ancient Church.

Another piece of news was conveyed in the primate's letter. By consent of the Parliament a commission had been given to certain noblemen to take steps for the marriage of the Queen of England with Arran, the duke's son. He expressed his approval, and declared that the

<sup>1</sup> Cf. Bellesheim's 'The Church of Scotland,' ii. 305, 306, note.

marriage would not be prejudicial to Mary and her husband. The proposal for the marriage was duly ratified by the Parliament, and the primate was among those who subscribed the commission.<sup>1</sup> The honour designed for the house of Hamilton may have induced him to agree to the marriage and the embassy alike, even while he did not approve the alliance with England. That alliance in advancing the Reformation had frustrated any religious change which he might have advocated; and, attached as he was to the Church, he had refused to assent to the Treaty of Edinburgh, which brought to an end the dominance of France in Scotland and removed the power by which the Church might have been maintained. Efforts were made by the duke to induce him to sign the treaty and declare himself the friend of England. "On motion made to him," Randolph wrote to Cecil, "the bishop of St Andrews talked with the subprior, the rector, and two more: they have had much communication without hope; he is stout and bold enough, rides and goes at large. He came to the duke's to supper, invited and convoyed by Mr Gavin of Kilwinning: 'he was as whomly as welcome.' The duke talked long

<sup>1</sup> C. S. P., i. 885. Cf. Teulet, ii. 150 (letter to the King of France, signed by the archbishop and others, regarding the marriage).

with him after supper: 'he was better wyllinge to here him, then to beleve anie thyng he spake.' They concluded in these words—"that for his consciens he was determyned in that mynde that he was of at that present to ende his lyf—for his boddie, goodes, and lyvinges he was content to yelde all into his handes. What, besydes matters of consciens, he wolde commaunde hym, he was allwayes reddie tobeye.'" "So the duke," Randolph added, "thinks to bring him to subscribe the contract."<sup>1</sup> After stating that the Bishop of Dunblane had arrived, Randolph went on to say, "If God 'have prepared hym and his metropolitane to die obstinate papistes, yet I wolde that thei, before thie goe to the divell, wolde shewe some token that ons in their lyves theie loved their countrie and setto their handes unto the contracte,' as hardly I believe they will. That night the bishop supped with the duke, many nobles, &c., were offended he should receive such 'humanitie' there amongst the men he has so spitefully offended. How grateful soever he was to the duke, there was never man 'worce welcomme to the sonne.'" <sup>2</sup>

Three Acts of supreme importance were passed by the Parliament, and by them the Reformation, as an ecclesiastical revolution, was accomplished.

<sup>1</sup> C. S. P., i. 881.

<sup>2</sup> Ibid.

The pope's jurisdiction in Scotland was abolished : Acts not agreeing with the Confession of Faith were rescinded : the celebration of the Mass was forbidden. A bill was presented by the barons, which contained a general accusation against bishops, but did not charge the Scottish churchmen with special crimes ; and, in turn, the prelates of St Andrews, Dunkeld, and Dunblane put in a bill of complaint of misusing them and contempt of their authority. After lodging their bill they departed, and when they were called to pursue it no man "compered."<sup>1</sup> A decree was made, however, "for the staye of their lyvinges."<sup>2</sup> A memorandum, published by Bishop Keith and styled "Heads of Acts made in the pretended Parliament in August 1560," shows that any feu or tack of teind granted after March 6, 1559, by the Archbishop of St Andrews and certain other prelates, was to be treated as invalid.<sup>3</sup>

At the memorable meeting of the Parliament no man appeared for the ancient Church : above all, no plea was offered by the official guardian. It may be that he had no apology to make. It may be that in secret he was satisfied with the triumph of the reformers. But he was the chief ecclesiastical dignitary in Scotland, and in presence of the Estates he neither offered defence

<sup>1</sup> C. S. P., i. 891.

<sup>2</sup> Ibid., 893.

<sup>3</sup> Keith's 'History,' i. 324 ; cf. T. A., xi. 353.

nor advocated change. The degradation of the Church was made plain when there was none to give it reverence. Some of the prelates and many of the priests avowed themselves protestants, and there was a rumour that the archbishop would join them. In a letter of October 7, Randolph said:—

“Arran writes that the Bishop of St Andrews is like to become a good protestant—has already given over his Mass and received the common prayers. ‘This good token (as the larde of Graynge wrytethe unto me) he hathe geven of repentance and amendement of his lyf; for at what tyme he offered most largely, the ladie his love the lord Symple dawghter was in howse with him at Parslaye. My lord of Arrane is not so hastie in beleve, that he wyll credyt myche before he see some token of hartier repentance than I cane thynke wyll proceade owte of so dyssembled a harte! As myche as the duke possessed of hys, wich was Parslaye only, he hathe in possession agayne; what so ever my lord of Arran had, he kepethe styлле in hys handes. The hatred of men increaseth dayly agaynst the bysshope, his fawltes are oftayne tymes tawlked of bothe in the pulpet and owte.’”<sup>1</sup> No further word was heard of the prelate’s protestantism, though on November 15

<sup>1</sup> C. S. P., i. 911.

Randolph reported that "the Bishop of St Andrews makes many 'craftie' means to win favour."<sup>1</sup>

The Parliament which sanctioned the Confession of Faith, prohibited the celebration of the Mass, and abolished the papal jurisdiction in the realm, did not establish the new or reformed Church by giving it a constitution. A scheme of ecclesiastical polity was set forth in the First Book of Discipline and addressed to "The Great Counsell of Scotland." The Church must have a constitution, and the book was accepted by the General Assembly, but it was rejected first by the Secret Council and then by the Estates. The noble lords who were protestants by profession were not all reformers by pious conviction; and many of them would not have the patrimony of the ancient Church devoted solely to the maintenance of the clergy, the support of the poor and the advancement of education, but desired that their own faithfulness should be rewarded. During the preparation of the Book of Discipline a communication was addressed, according to a story told by Spottiswoode, to John Knox regarding the ecclesiastical property. The historian refers to the Church rents and says:—

"The Church men that went before had been

<sup>1</sup> C. S. P., i. 918.

provident enough in these matters, and good it had been for these that succeeded to have kept fast that which they found established to their hand, as the Archbishop of St Andrews did at the same time advise them. For he employing John Brand, a munk of Halyrudhouse (who served many years after Minister at the Canon-gate), to go unto John Knox, willed him to say from him, That albeit he had innovated many things and made reformation of the doctrine of the Church. whereof he could not deny but there was some reason; yet he should do wisely to retain the old policy which had been the work of many ages, or then put a better in place thereof, before he did shake the other. Our Highlandmen, he said, have a custome, when they will break young colts, to fasten them by the head with strong tethers, one of which they keep ever fast, till the beast be thoroughly made. The multitude, that beast with many heads, would just be so dealt with. Master Knox, I know, esteemeth me an enemy, but tell him from me he shall finde it true that I speak."

## 1560-1567.

WHEN his Church was no longer recognised by the State, Hamilton continued to be known as the Archbishop of St Andrews,<sup>1</sup> though in the last years of his life he appeared as a political intriguer and party leader rather than as an ecclesiastic. The Reformation was a revolution, and the queen by refusing to sign the Acts of 1560 might attempt to undo it. Sir John Sandilands was sent to France to obtain her sanction for the Acts,<sup>2</sup> but before her decision could be declared, Morton, Glencairn, and Lethington were despatched to England. "The cheaf poynt of thair commissioun," Knox says, "was earnestlie to crave the constant assistance of the Quenis Majestie of England, against all forane invasioun, and to propone the Earle of Arrane (who then was in no small estimatioun with us) to the Quene of England in mariage." A communication was addressed at the same time to the King of France, telling him of the

<sup>1</sup> Appendix VII.<sup>2</sup> Teulet, 'Relations Politiques,' ii. 147.

proposed union,<sup>1</sup> and was signed, as was the order for the commission to England, by the archbishop and other prelates.

Elizabeth replied that she found herself not disposed presently to marry. At the same time she advised the Scots not to divide themselves into factions, and promised that no reasonable thing would be neglected for the defence of the two realms against any common enemy.<sup>2</sup> The mission of Sandilands was fruitless. "France utterlie refused," Knox says, "the confirmatioun of the peace contracted at Leyth, wald ratifie no part of oure Parliament, dismissed the Lord of Sanct Johne (Sandilands) without any resolute ansure, begane to gather new bandis of throte-cuttaris, and to maik great preparatioun for schippes." He adds that all this came partly of the malice of the Guises and partly by instigation of "proud Beatoun, falslie called Bischope of Glasgu, of Dury, Abbot of Dunfermeling, Saulles Seatoun, and Mr John Sinklar, Dene of Restarick, with suche utheris of the Frenche factioun, who had openlie spokin that thei had refused all portioun of Scotland, onless that it war under the government of a Frenche man." The Archbishop of St Andrews is not named with these leaders of the French

<sup>1</sup> Teulet, 'Relations Politiques,' ii. 150 ; C. S. P., i. 897. A. P.

<sup>2</sup> Keith's 'History,' ii. 9.

faction. He roused suspicion, however, in another quarter. Throckmorton informed Elizabeth that one of the late officials of the archbishop had arrived with letters, and he suggested that, if the man could be met at his landing again in Scotland and his papers taken, they might decipher the practice of the Guises and their further meaning.<sup>1</sup> Whatever may have been the nature of his communication, the archbishop was not devising an invasion which would restore the French dominion. He was a Scotsman and a Hamilton, and was not a traitor to his country and an enemy to his house.

The death of Francis, Mary's husband, on December 5, 1560, changed the political situation in Scotland. The Catholics generally were hopeful that at her return to her own land she would be their protector and restore their Church. On January 12, 1561, instructions were issued to commissioners whom she appointed to proceed to Scotland. They were to intimate the king's death to the duke, the Archbishop of St Andrews, Huntly, Atholl, Argyle, Bothwell, and the Prior of St Andrews, to present missives for opening the Parliament, to announce the despatch of Noailles, who would assure the Scots how anxious King Charles was to continue the alliance, and to make known the

<sup>1</sup> Cal. of State Papers (Foreign), 1560-1561, 619.

queen's intention to go to her realm as soon as she had settled her affairs.<sup>1</sup> A convention of the nobles was called for January 15, at which the Lord James Stewart was deputed to declare their duty and devotion to their sovereign.<sup>2</sup> On March 18 he left Edinburgh, and on April 15 was at St Dizier, where he was received by the queen. At the same time John Lesley, Official of Aberdeen, was sent to France, and at Vitry offered to her faithful service from all the principal nobles, bishops, clergy, and burghs of the north.<sup>3</sup> Mary was invited to return to Scotland and to land at Aberdeen, where she would meet with such assistance that at her first coming she might restore the Catholic religion.<sup>4</sup> Lesley gives a list in his 'De Rebus Gestis Scotorum' of nobles and prelates in whose name he went to France; and among them is the Archbishop of St Andrews.<sup>5</sup> In his 'Historie of Scotland,' however, where the list is almost identical, the archbishop is not included; and it may be that Hamilton did not associate himself with the men of the north who were willing to plunge Scotland into war for the cause of a Church he had not dared to defend. When the time came for Mary's

<sup>1</sup> C. S. P., i. 949, 964.

<sup>2</sup> Knox, ii. 142. C. S. P., i. 960.

<sup>3</sup> Lesley's 'History,' 294.

<sup>4</sup> Lesley's 'De Reb. Gest. Scot.' (Edition 1578), 575.

<sup>5</sup> Ibid.

departure from France, she did not sail to Aberdeen.

Noailles, the French ambassador, reached Scotland in March, and conveyed to the Council the king's condolence with them for the death of his brother, and his offer to continue the old amity. The Estates, in turn, expressed their sorrow at the late king's death, and their desire for perfect friendship between his successor and their own sovereign.<sup>1</sup> The mission of the ambassador was not exhausted by his expression of sympathy. His purpose was to secure the dissolution of the alliance between Scotland and England; but greatly to his discontent the Council decided that the Parliament should not assemble till May 20, when the Lord James would have returned from France. The demands of the ambassador were, in Knox's words, "That the league betwix us and Ingland suld be broken: That the ancient league betwix France and Scotland suld be renewit: And that the Bischops and kirkmen suld be reponit in thair formair places, and be sufferit to intromet with their levingsis."

The expectation of Mary's return caused many to pass to France in the hope of finding favour. The Abbot of Kilwinning was eager to go; and

<sup>1</sup> C. S. P., i. 970, 971. Instructions to Noailles (Cal. of State Papers, Foreign, 1560-1561, 917 note, 918).

it was suspected, as Randolph reported, that he wished to serve the "honourable prelate" of St Andrews, who himself would willingly have gone, "*Sed non convenit Judæus cum Samaritanis.*"<sup>1</sup> The bishops, taking heart, met in Stirling, and there were whispers that the duke and the archbishop were too familiar.<sup>2</sup> Before the meeting of the Parliament, the Catholics went in bands to Edinburgh, and began to brag "as that thai wald haif defaced the Protestantes." The prelates and their attendants, however, "forsuyk the calsay," when the Protestants marched in companies, showing their strength. But the Protestants were not satisfied with demonstrations on the streets. A humble supplication was presented to the Lords of the Council that idolatry and monuments thereof throughout the whole realm should be suppressed, and that sayers and hearers of the Mass should be punished.<sup>3</sup> The supplication was granted, and in the west the work of destruction was entrusted to Arran, who had with him Argyle and Glencairn. The Abbey of Paisley, according to Knox, was burnt; and the archbishop narrowly escaped with his life.<sup>4</sup>

The queen arrived at Leith on August 19. On

<sup>1</sup> C. S. P., i. 972.

<sup>2</sup> Knox, ii. 156.

<sup>3</sup> Ibid., 161. 'The Booke of the Universall Kirk.'

<sup>4</sup> Knox, ii. 167.

the 22nd she made her public entry into Edinburgh. Almost all the nobles escorted her, but the duke and Arran did not attend. The archbishop, however, soon found his way to the capital; though he did not dare in public to welcome his sovereign, and could hardly venture beyond his lodging. It does me good to remember, Randolph wrote, that there are but two bishops arrived, St Andrews and Dunkeld, "bothe in longe gownes and tippettes with hattes upon their heddes, but scharce dare put their noses owte of their doores for feare of after clappes."<sup>1</sup> But the situation was soon to be changed. In September the queen made a progress through Linlithgow, Stirling, Perth, Dundee, and St Andrews; and all these places, according to Knox, "sche polluted with hir idolatrie." Immediately after her return to Edinburgh the magistrates, following their custom, proclaimed the statutes and ordinances. Going beyond what could have been usage, they named priests and friars with drunkards and adulterers, and ordered them to leave the town. Mary was indignant. After dismissing the provost and bailies from their offices, she proclaimed that the town was open to all lieges of the queen. The archbishop, who,

<sup>1</sup> C. S. P., i. 1010. On August 29 proclamations were sent to certain burghs requiring the lieges to "contene thame selffis in quietnes," and on pain of death not to make any alteration in "the religion" as it stood on the queen's arrival (T. A., xi. 63).

in August, had been forced to keep within doors, was now safe to appear on the streets. Randolph has described his entry. "The metropolitan of St Andrews," he told Cecil, "arrived with a train of eighty horse; and to be seen, he rode half a mile out of his way, through the whole High Street of Edinburgh. We do not know what mischief he comes for; he had only two Hamiltons with him. The Abbot of Kilwinning met him here the first night, but came not with him."<sup>1</sup>

The Hamiltons were loyal to the duke, and neither he nor Arran would attend the court.<sup>2</sup> Yet Arran, who had received from the Council a grant of the revenues of St Andrews and other benefices, desired the queen's confirmation. The Council anticipating her decision, gave him no help.<sup>3</sup> Then the bishops, Knox says, "began to grypp agane to that which most unjustlie thei called thair awin; for the Erle of Arrane was discharged of Sanctandrois and Dunfermeling, whairwith befoir, be verteu of a factorie, he had intromitted: and so war many otheris." Persuaded by his friends, the duke at last resolved to present himself at the court; and on November 5 was received.<sup>4</sup> After his visit to the queen several of the bishops entered the town, and

<sup>1</sup> C. S. P., i. 1035.

<sup>2</sup> Ibid.

<sup>3</sup> C. S. P., i. 1041.

<sup>4</sup> Ibid.

offered to make large contributions, if restored to their benefices. At least one of the prelates, if Randolph may be trusted, had not changed his evil habits, and in the season of trouble was not even prudent. I know not what more to write, the Englishman said in his letter to Cecil, "but of the shamfull lyf of the bysshope of St Andrews."<sup>1</sup> Mary did not give the churchmen much satisfaction when she told them that what was done by order and good advice might longest continue.<sup>2</sup> A definite proposal, however, was made. At a convention, attended by the queen, the Lords of Council, and certain nobles, an offer for one year of the fourth part of their revenues was made by the archbishop and the Bishops of Dunkeld, Moray, and Ross, on condition of being restored to their benefices and privileges. Money was required, as provision must be made for the Protestant clergy, and for the purpose the revenues of the ancient church were more than ample. Accordingly the clergy were ordained to disclose the exact amount of the revenues, and eventually the third part was appropriated by the crown.<sup>3</sup>

<sup>1</sup> C. S. P., i. 1049.

<sup>2</sup> Ibid.

<sup>3</sup> R. P. C., i. 192 ff. Knox, ii. 298 ff. At the convention a protest was made by the archbishop in name of the whole clergy (Keith's 'History,' iii. 372). On Nov. 25 close writings were sent to the duke and the archbishop, *inter alios*, to attend the convention on December 15 (T. A., xi. 91). On December 27, beneficed

The popularity of the queen made it clear to Arran that, if he was not to be counted a rebel, he must follow his father's example and present himself at the Court. In due time he was received at Linlithgow, and at his request was freed "of all cumber for intermeddling with the bishoprics of St Andrews and Dunfermline."<sup>1</sup> Randolph declared that the Hamiltons especially were dissatisfied with the assumption of the thirds, and he probably exaggerated their losses, though Lesley asserts that the third part of the revenues demanded by the Commissioners was in excess of the two-thirds they professed to leave.<sup>2</sup> The duke, Randolph wrote, "now begins to 'grone,' he must part from seven parts of Arbroath, the bishop of St Andrews from as much of his livings, the Lord Claude (the duke's son in England) *futurus successor* to Paisley, also the seventh—the Abbot of Kilwinning as much—besides others of 'that race'; so many a Hamilton 'shall shortlye be torned a beggynges.' . . . I know not if this will make the duke a papist again, 'for nowe *conferunt consilia* the bysshope

clergy were required to produce on January 24 and February 10, 1562, before the Privy Council, their true rentals, so that there might be ascertained what "necessar support" should be taken for "the ministerie and commoditie" of the realm (Ibid., 99). Append. VIII.

<sup>1</sup> C. S. P., i. 1071.

<sup>2</sup> Lesley's "Paralipomena," 82 ('Narratives of Scottish Catholics,' edited by W. Forbes Leith). Cf. Append. VIII.

and he.'” The manners of the bishops, according to Randolph, were so “intollerable licencius” that they were not to be endured, and he judged that there was no better way to plague them than to pluck at their livings. He told Cecil the merry tale of Cardan and the cure of the archbishop, and gave certain details of the prelate’s licentiousness.<sup>1</sup> In another letter he informed Cecil that Jewel’s ‘Apology’ was well liked, and many in Scotland desired to have it. “I have caused one,” he said, “to be given to the bishop of Ross and purpose to send another to the bishop of St Andrews, not to do them good, which I know is impossible, but to ‘heape’ mischief on their heads.”<sup>2</sup>

Under the royal favour the Catholics became bold. On Easter day, 1562, the archbishop said Mass,<sup>3</sup> and there was like to be disorder; but sickness confined him to his lodging, and the commotion passed.<sup>4</sup> A fresh disturbance arose, however, when in the West the Earl of Eglinton, the archbishop, and others, began to have daily Mass; and the trouble ceased only when, “to the great regret of the miserable papists,” proclamations were issued against changes in religion as it stood at the queen’s arrival.<sup>5</sup> Hamilton

<sup>1</sup> C. S. P., i. 1066.

<sup>2</sup> Ibid., 1074.

<sup>3</sup> Ibid., 1093.

<sup>4</sup> Ibid., 1096.

<sup>5</sup> Ibid., 1111. T. A., xi. 177.

was now steadfast in his adherence to the ancient faith, and doubtless he hoped to attain to high authority under his Catholic sovereign. His influence over his brother did not cease. The duke laid himself open to suspicion when in July he answered the queen's call to a consultation, and accorded with the "venerable prelate" of St Andrews.<sup>1</sup>

While Mary was preparing for a progress through the northern parts of the country, a Jesuit, Nicolas de Gouda, arrived with messages from Rome. So "strange a monster as a Jesuite" was a wonder in Scotland, and a month passed before she ventured to see him. At last on July 24, at an hour when the Protestant nobles were at sermon, he was secretly conveyed to her presence.<sup>2</sup> By the papal letter which he delivered, the queen was exhorted to follow the example of Mary of England in defending the faith, and was asked to send commissioners to Trent. Her reply was that she would consult the bishops; but she feared it would be impossible to appoint delegates to the General Council. The legate was informed that it would be dangerous for him to deliver his letters to the prelates, save the Bishop of Ross, the President

<sup>1</sup> C. S. P., i. 1129.

<sup>2</sup> Ibid. : Letter of Nicolas de Gouda to the General of the Society of Jesus ('Narratives of Scottish Catholics,' 63).

of the Council, as the attempt would cause a tumult; but eventually the queen promised to attend to the letters. None of the bishops would see him, and only two of them replied to the papal message. The archbishop was one of the two, and he contented himself with addressing his communication to the Jesuit. The condition of Scotland was a miserable spectacle in the eyes of the legate, who had a sad report to give to the Pope. The bishops were powerless against the heretics. They remained quiet, and for the most part were not qualified to be leaders. "The lives of priests and clerics," he said, "are not unfrequently such as to cause grave scandal, an evil increased by the supine indifference and negligence of the bishops themselves. . . . I will not describe the way in which these prelates live, the example they set, or the sort of men they nominate as their successors; only, it is hardly surprising if God's flock is eaten up by wolves, while such shepherds as these have charge of it."<sup>1</sup> An enemy could not have uttered a more serious condemnation.

In August the preparations for the progress were completed, and Mary set out for the North, where the Gordons had their strongholds. Huntly, the most powerful man in the region, might have aided the Catholic cause. Yet Mary

<sup>1</sup> Ibid.

was to see in his strength a menace to her rule, and her visit was turned into a campaign. Her mother had not trusted him, and had punished him for treasonable traffic with England. She herself had been offended by his second son, Sir John Gordon, breaking ward in Edinburgh, and in Lord Gordon's name she was refused admission to the castle of Inverness. Sir John Gordon in turn refused to yield the castles of Findlater and Auchindoune, while the earl would not answer the queen's summons to her presence. Thus did the Gordons show open defiance, and taking up arms they marched on Aberdeen. They were met at Corrichie by a force of 2000 men led by the Lord James Stewart, with the Earls of Athole and Morton, and were defeated. The power of the Gordons was broken, and the Catholic cause suffered.

Knox relates that "the Bischope of Sanct-androis and Abbot of Crosraguell kept secreat conventioun that same tyme in Paslay, to whom resorted diverse Papistis; yea, the said Bischope spack the Duck, unto whom also cam the Lord Gordon from the Erle of Huntley, requyring him 'to putt to his handis in the South, as he should do in the North; and so it should not be Knoxis crying nor preaching that should stay that purpose.' The Bischope, be he never so close, could not altogether hyd his mynd, but at his awin

table said, 'The Quene is gone into the North belyke to seak disobedience : sche may perchance fynd the thing that she seikis.'" The duke, though a Protestant by profession, was not to be trusted, and Knox exhorted him neither to give ear to the "Bischope his bastard brother," nor yet to the persuasions of the Earl of Huntly, assuring him that, if he did, he and his house would come to a sudden ruin. Knox shows that the south parts were kept in reasonable quietness while the troubles were brewing in the north.

"And yit the Bischope and the Abbote of Corsraguell," he says, "did what in thame lay to have rased some trouble; for besydis the fearfull bruytes that thei sparsed abroad (sometymes that the Quene was tacken; sometymes that the Erle of Murray and all his band war slane; and sometymes that the Quene had gevin her self unto the Erle of Huntley,—besydis such bruities) the Bischope, to brek the countrey of Kyle, whair quyetness was greatest, rased the Craufurdys against the Readys for the payment of the Bischopis Pasche fynes; but that was stayed by the laubouris of indifferent men, who favored peace."

The archbishop may have engaged in the plots which disturbed the south, but in the autumn he was again suffering from illness, as was the Bishop of Ross. "Many trust," Randolph re-

ported, "they will not escape this winter."<sup>1</sup> The wish was not fulfilled; and in January 1563 Hamilton was in Edinburgh.<sup>2</sup> His enemies hoped he would be sent to the castle for saying and hearing Mass, and also for refusing to pay the third of his benefices for the maintenance of the Protestant ministers. Whatever may have been the form of trial, he was dismissed in hope of amendment.<sup>3</sup> But he did not change his ways, and in May Cecil was told that he would shortly hear some merry tidings of the Bishop of St Andrews, who was to be arraigned along with five priests for "massinge" at Easter.<sup>4</sup> Writing to Cecil on May 20, Randolph said: "You will wonder to hear that the Archbishop of St Andrews had yesterday twelve new godfathers; his best shift was to put himself in the Queen's will, and to-day he is entered to the Castle of Edinburgh. There are also condemned the prior of Whythorne, a notable 'archipapyste,' and five other priests as wicked as he. . . . This marvellous plague is lately fallen on our clergy that they know not where to hide their heads: and many of them are 'cropaen' into England, as you shall shortly know, with the whole discourse of this strange tragedy, to see the Bishop, 'late kynge of Scotlande,' committed to prison for

<sup>1</sup> C. S. P., i. 1139.

<sup>2</sup> On January 4, letters from the queen in Edinburgh were sent to the archbishop in Paisley (T. A., xi. 242).

<sup>3</sup> C. S. P., i. 1163.

<sup>4</sup> Ibid., ii. 7.

papistry in the time of a Queen of his own religion! and I trust shall be example to many other bishops of the world, either to know God better, or come to the like end that is looked for him. The Queen, to declare it was her will, came to a house not far from where the lords sat in judgment, supped, and remained there till all was ended.”<sup>1</sup> The Protestants demanded that justice should be done; and the queen, who consulted the Bishop of Ross and the old laird of Lethington, was advised that if she did not see to the keeping of her laws she would get no obedience.<sup>2</sup> “The Bischope,” Knox narrates, “and his band of the exempted sorte made it wyse to entyre befor the Erle of Argyle who sat in judgement; butt at last he was compelled to entir within the barr. A meary man (who now sleapis in the Lord), Robert Norwell, instead of the Bischoppis croce, bair befor him a steyll hammer; whairat the Bischope and his band was not a lytill offended, becaus the Bischoppis priviledges war nott then currant in Scottland. . . . The Bischope and his fellowis, after much ado, and long dryft of tyme, cam in the Quenis will, and war committed to warde, some to one place, some to ane other.”

The official account of the trial sets forth that

<sup>1</sup> C. S. P., ii. 8.

<sup>2</sup> Bishop Quadra informed the King of Spain that in order to satisfy the Protestants on the Council the queen had caused the arrest of the archbishop (Cal. of Spanish Papers, 1558-1567, 233).

John Hamilton, Archbishop of St Andrews, and certain other persons who are named, "become in will to our souerane lady, for convocation of hir hienis liegis in the moneth of Apryll lastby-past, in the toune of Paslay, Kirk, Kirk-yard, and Abbay Place thair of, openlie, publiclie, and plainlie tuke auricular Confessioun of the saidis personis in the saidis Kirke, Toune, Kirk-yaird, Chalmeris, barnis, middingis, and killogeis thair of; and thairthrow makand Alteratioun and Innovatioun in the Stait of Religion, quhilk our souerane lady fand publictlie standing and professit at hir Maiesties arryvell within this realme foirsaid, ministrand and abusand, irreverentlie and indecentlie, the Sacramentis of Haly Kirk, namlie, the Sacramentis of the Body and blood of our Lord Jesus, vtherwyis and efter ane vther ordour nor the publict and generall ordour of this realme wes the tyme of the Quenis Maiesteis arryvel foirsaid." In an interlocutor it is stated that the said persons found surety that they would enter in the wards after specified, there to remain during the queen's pleasure: "That is to say, the said Archiebischop of Sanctandris within the Castell of Edinburghe."<sup>1</sup>

Bishop Lesley, in his desire to save the queen from a charge of harshness to a Catholic, has given an ingenious explanation of Hamilton's

<sup>1</sup> Pitcairn's 'Criminal Trials,' i. 427-429.

imprisonment. He represents that the Lord James Stewart, who had been made Earl of Moray, desired to proscribe the dead Earl of Huntly and his sons at the meeting of the Parliament; and, fearing that the archbishop might oppose this arbitrary measure, imprisoned him on the ground of his having celebrated Mass at Easter, and administered the Eucharist to many persons according to the Catholic rite.<sup>1</sup> Another explanation was given by Bishop Quadra, who informed the King of Spain that Lethington had asserted that the prosecution had been undertaken on the advice of the archbishop himself, not to condemn his religion, but to preserve the queen's peace.<sup>2</sup> The fact seems really to be that the Protestants under Knox and Moray were strong enough to demand justice, and that Mary was too weak to protect the Catholics who were despising the laws. The castle of Edinburgh was the archbishop's prison, and for a short time he was detained. Randolph furnishes an account of the prisoner. Writing to Cecil, he said, "The venerable Bishop of St Andrews now likes his imprisonment so well that he says if he might do my lord duke any good he would give up the mass 'and become, he wolde saye, a Protestante, but I beleve a

<sup>1</sup> Bishop Lesley's Narrative ('Narratives of Scot. Cath.,' 92).

<sup>2</sup> Cal. of Spanish State Papers, 1558-1567, 234.

verie atheiste, for suche hathe byne hys lyf: and nowe wolde chaynge hys religion for the dukes sake'! He is like, as far as I see ('be of what religion he wyll'), to remain where he is for a good while; and were I as he, I would never desire to come forth, he has so many adversaries, I believe he could not long live here. He was arraigned for transgressing the queen's ordinance at her home coming, that religion should stand in her realm as she found it. I will not say but if he had been some other, he might have received more favour than many do that bear that name, if they walk not aright." Randolph added that it was said, and he himself believed, that if Lethington had been at home it had not been so evil with the archbishop.<sup>1</sup> Hamilton was not content to remain a prisoner, and Randolph, in spite of a previous letter, reported on June 19 that "our 'pestilente prelate' . . . made great means to the Queen for deliverance, so far that he 'wane' her consent; but 'the lordes were fayne to resyste her wyll so farre, as the teares burste owte, but nothyng hable to prevaile.'" <sup>2</sup> In spite of the lords the archbishop was liberated. On July 26 two of his friends gave caution that he would "nocht contravene the Ordinance and Proclamatione maid be hir grace

<sup>1</sup> C. S. P., ii. 9.

<sup>2</sup> Ibid., 16.

anent the Religione quhilk hir Maiestie fand publiclie and vniuersalie standing at hir arryvall within this realme furth of the partis of France : And on na wyis publiclie nor privatlie mak innovatione or alteratione thair of, or attempt ony thing aganis the samin, under the pane of thre thowsand pundis.”<sup>1</sup> Knox asserts very plainly that it was the queen who set the bishop at liberty. “This was the first punishment,” Lord Herries says, “inflicted upon priests, that we read on, in this kingdom.”<sup>2</sup>

For a short time the archbishop was obedient to the law, but he “gave ashes on Ash Wednesday.”<sup>3</sup> Strangely enough, it was reported that for some unknown reason he was “desyros to speak with Mr Knox.”<sup>4</sup> There could have been no interview, however, as the Reformer does not mention a meeting with the prelate. The archbishop, in spite of the fact that he was a Catholic, continued to sit in Parliament; and in December 1564 was a member when the Estates enacted that whosoever heard Mass, save the queen and those of her house, should forfeit lands and goods and “the life in the princes will.” Little business was done “‘savage one prettie waye to gette some monie to the Quenes coffers’—viz., that whosoever has taken any ‘fewe lande’ or

<sup>1</sup> Pitcairn's 'Criminal Trials,' i. 429, note.

<sup>3</sup> C. S. P., ii. 60.

<sup>2</sup> 'Memoirs,' 67.

<sup>4</sup> Ibid., 72.

holds any 'sette' or granted by the pope shall have it confirmed by her, they paying as the treasurer and they can agree. To this Act the whole house accorded, saving the three bishops present, St Andrews, Moray, and Dunkeld, who dissented as a thing prejudicial to the 'see Apostolicke.'"<sup>1</sup>

The General Assembly which met on December 25, 1564, presented seven Articles to the queen. One of these required the punishment of such as "hes steikit the doores of the paroch kirks, and will not oppin the samein to preachers that presentit themselves to have preachit the word."<sup>2</sup>

The Archbishop of St Andrews, though continuing to sit in the Parliaments, had no ecclesiastical authority within the realm. Yet the impotence of the prelates, after the Acts of 1560, was not clearly recognised at Rome, and in 1561, as has been noted, the queen was urged to send delegates to the Council of Trent. At the same time communications were addressed to certain churchmen; but the Reformation had been accomplished and no Scottish bishop attended the Council. Mary directed a letter to Trent in which she said that she would have rejoiced to see the representatives of her realm joined with the delegates of the great Catholic

<sup>1</sup> C. S. P., ii. 124 ; cf. T. A., xi. 353.

<sup>2</sup> 'The Booke of the Universall Kirk,' i. 53.

powers, and while she could send no commissioner she promised to obey the decrees.<sup>1</sup> When the Council was closed, the pope forwarded to her a copy of the Acts. Singularly ignorant of the situation, he advised her to take diligent care to have them observed, and directed her when making appointments to churches and ecclesiastical offices, and even to civil posts, to beware of advancing any one unless she had proof of his being a Catholic. The two metropolitans were to see to the execution of the decrees. Pius IV. may not have known that the Archbishop of Glasgow had fled, and that the Archbishop of St Andrews had been committed to prison for saying Mass. Yet he addressed letters to them. The communication to Hamilton, dated June 13, 1564, was rich in sympathy for his sufferings and hope for his steadfastness.<sup>2</sup>

The Queen of Scotland was a widow, young and fair, and a second marriage was eagerly discussed by her courtiers. Union with a prince of one of the great Catholic powers might give dignity to the realm, but would be dangerous to the cause which the Protestants held so dear.

<sup>1</sup> 'Papal Negotiations with Queen Mary' (Scottish Hist. Soc.), 53. Robertson's 'Statuta,' ii. 165-168; ii. 249. Another letter in similar terms was received by Mary in 1562 (Raynaldus, 'Annal. Eccles.').

<sup>2</sup> 'Papal Negotiations,' 181, 185.

In a report to Clement VIII., 1594, certain Jesuit priests narrated that after the fall of Huntly the power of the Catholics was much weakened and reduced. The only remedy, they said, which seemed to remain for the evils "was the marriage of the queen with some powerful Catholic prince who could restore the exhausted energies of the Church."<sup>1</sup> According to Knox, the marriage of the "Queyn was in all mannis mouth. Some wold have Spaine; some the Emperouris brother; some Lord Robert Dudlye; some Duck de Nemours; and some unhappilie gessed at the Lord Darnlye." The heir of Spain was preferred, but reasons of health made his marriage impossible. Queen Elizabeth, who had objected to Mary's union with a Hapsburg, suggested her own favourite, Lord Dudley, and Mary declared herself willing to consider him, if her right to the succession to the English crown was admitted. The claim, however, was not considered by Elizabeth's representatives, and Dudley was passed over. At this juncture the Earl of Lennox, who had been an exile in England, was permitted to return to Scotland, and was followed by his son, Lord Darnley. In a "Memorial concerning Matters of Scotland," dated February 3, 1565, a list was given of the "enemies at the departure of Lennox from

<sup>1</sup> Nau's 'Memoirs of Mary Queen of Scots,' 119.

England." All the Protestants were mentioned, and "in spetial" the duke, the Archbishops of St Andrews and Glasgow with others were named.<sup>1</sup> The Memorial set forth that "the Quene being his cheif countervaille thinketh for the dukes overthrow, yf shee can bring yt to pas, to adwanse Levenax as hir heyre apparant, faling of her ische; yf Darnelie hyt the merk, then caretth my lady nether for therldomes of Levenax, Angus, nor landes in Englande, having enewgh that waye. And yf the quene can bring yt aboute, division shall follow. The overthrow of religion ys pretended, the Frenche to be reconciled, there aide agane to be craved."

The arrival of Darnley very soon solved the difficulties connected with Mary's marriage. Melville states that "Hir Majeste tok weill with him, and said that he was the lustiest and best proportionit lang man that sche had seane; for he was of a heich stature, lang and small, even and brent up; weill instructed from his youth in all honest and comely exercyses."<sup>2</sup> As early as April it was rumoured that Mary and Darnley were secretly married.<sup>3</sup> Whatever may have been the truth of that report, the marriage, after the proclamation of banns, took place in the chapel of Holyrood on July 29,

<sup>1</sup> C. S. P., ii. 141.

<sup>2</sup> 'Memoirs,' 134.

<sup>3</sup> Cal. of State Papers (Foreign) 1564-1565, 1298.

1565, and was celebrated with great magnificence. The Bishop of Brechin, and not the Archbishop of St Andrews, officiated.<sup>1</sup>

The Protestants were afraid that the queen by her marriage with a Catholic would become more bitterly opposed to them, especially as their leader, the Earl of Moray, was no longer her chief counsellor. In the hope of quieting them, the Secret Council, on July 12, issued a proclamation: "Hir Majesteis mynd and meaning, certifeing and assuring all hir guid subjectis, that as thai nor nane of thame, hes hiddertillis bene molestit in the quiet using of thair religioun and conscience, sa sall thai nocht be inquietet in that behalf in ony tyme to cum."<sup>2</sup> Many of the lieges had taken up arms, and three days later the Council issued a fresh proclamation, certifying that her Majesty's subjects would not be inquieted for religion and conscience, and charging all and sundry her subjects, "weill bodin in feir of war," to proceed to Edinburgh, and for fifteen days to attend upon her Highness.<sup>3</sup>

It is narrated by Knox that the Protestants in the West directed letters to Edinburgh, Dun-

<sup>1</sup> Diurn. of Occurr. Hamilton was not opposed to the queen. He was at Holyrood on May 26, where he signed a charter (Exch. Rolls, xx. 80, note). On April 12, close writings had been sent by the queen to the Abbot of Paisley (T. A., xi. 361). On June 2, precepts for the Parliament of July 20 were sent to him and others (Ibid., 370).

<sup>2</sup> R. P. C., i. 338.

<sup>3</sup> Ibid., 339.

dee, Fife, Angus and Mearns, desiring the "professors of the Evangel" to remember how idolatry and superstition had been abolished in the realm, and yet to understand that through their own slothfulness the idol of the Mass had been again planted. The Protestants in response to these letters represented to the queen that the Papists pretended nothing else but to set up their idolatry and superstition. In reply the queen's secretary gave assurance that provision was being made to satisfy them, and she herself wrote to the Bishops of St Andrews and Aberdeen not to use any Mass and not to do any such thing as was feared by the Protestants. If the queen wrote to the archbishop, her words must have conveyed an order rather than a request, as she desired, according to Randolph, "to have out of the bishop of St Andrews hands the abbey of Paisley for Lennox."<sup>1</sup> The fears of the Protestants were not groundless, and the archbishop's good offices for his Church became known at Rome. One of the cardinals, perhaps Borromeo, wrote to him on July 3, saying, "Illustrious and very reverend Lord, my assiduity and affection in regard to your reverend lordship, which are great in proportion to your singular virtue in defending the Catholic Faith and the authority of the Holy Roman Church,

<sup>1</sup> C. S. P., ii. 192. For the revenues of Paisley and St Andrews, cf. R. P. C., i. 412.

have suggested to me . . . that I should send you my compliments by these letters and greet you with the announcement of the peace and grace of Christ the Lord. Your name is great here for piety and religion's sake, and great is the joy of the good over a prelate who both resists the wicked with fortitude and courageously defends good Catholics. True praise is that which redounds to the glory of God."<sup>1</sup> Two months later Pius IV. addressed the archbishop, praising him for his constancy in his religion, and asking him to continue faithful to the queen.<sup>2</sup>

In spite of assurances from the queen of her good purposes, the Protestants were not pacified, and taking advantage of the dissatisfaction, the duke, Moray, Glencairn, and other lords, with 1200 horse, marched to Edinburgh. These men, who had been the leading opponents of Mary's marriage, hoped to establish themselves in power. They found, however, that there was no rising in their favour, and they departed to Dumfries. Mary was strong, and went from place to place putting down opposition. In October she reached Dumfries, and found that her enemies had passed to Carlisle. At the close of this Roundabout or Chaseabout Raid, as the incident was called, she was mistress of the realm. The duke, according

<sup>1</sup> 'Papal Negotiations,' 190.

<sup>2</sup> *Ibid.*, 225.

to Lesley, "perceiving that he was duped, sent messengers to Scotland, through whom, and through the Earl of Errol, and his own brother, the Archbishop of St Andrews, he handed over himself and his possessions to the queen's mercy, and sued for the pardon of his fault. Being ordered by her to go over to France and abide there in exile for four years, he took leave of Elizabeth and obeyed his mistress's command."<sup>1</sup>

The campaign had been directed against the opponents of Mary's marriage: it was not a religious war. Yet her enemies were Protestants, and by their defeat the Catholic cause was advanced. "The papists among us," Randolph wrote to Cecil, "grow marvellous proud—the Bishop of St Andrews well made of—and none so far in credit as men of that sort."<sup>2</sup>

Mary's days of happiness with her husband were few. Darnley in his new and high position displayed arrogance and pride. Vice stained his private life. At first Mary had shown a passionate fondness for the handsome youth, but love gave place to loathing. The favour shown by her to the Italian Riccio, her secretary, was a cause of quarrel. A rumour spread that they

<sup>1</sup> Lesley's Narrative ('Narratives of Scot. Cath.,' 107).

<sup>2</sup> C. S. P., ii. 313. On Dec. 5, 1565, he received a summons to attend a Parliament: on Feb. 16, March 12, and on April 9, and Sept. 18, 1566, close writings from the king and queen were sent to him (T. A.).

were lovers, and the queen was at least imprudent in her friendship. Darnley was angry and jealous; and his vanity was pleased when the exiled nobles agreed that, if they were permitted to return to the realm, they would help him to obtain the crown-matrimonial, which Mary was not willing to grant. These nobles believed that Riccio was scheming for the re-establishment of Romanism and also for their forfeiture by the Estates. A shameful plot for the murder of the Italian was contrived, and among the parties to it were Darnley and Lennox, as also some of the Protestant leaders. According to the narrative in Knox's 'History,' "this David Rizio was so foolish that not only he had drawn unto him the managing of all affaires, the king set aside, but also his equipage and train did surpass the king's; and at the Parliament that was to be he was ordained to be Chancellour; which made the Lords conspire against him: They made a bond to stand to the religion and liberties of the countrey, and to free themselves of the slavery of the villain David Rizio: The king and his father subscribed to the Bond, for they durst not trust the king's word without his signet."

On the night of March 9, 1566, Morton, Ruthven, and Lindsay, with bands of followers, beset the palace of Holyrood, and Riccio was murdered. In her wisdom or cunning Mary did

not at once seek revenge, though the man she most hated for the foul deed was her own husband. On the day after the murder the exiles returned to Edinburgh, and the queen received the Earl of Moray. It seemed at first that Darnley would be faithful to his compacts with the Protestants, as he issued a proclamation requiring all bishops, abbots, and other Catholics to depart from the town. "Which proclamation," Knox says, "was indeed observed, for they had 'a flea in their hose.'" In spite of his promises Darnley left the capital, and with the queen hastened to Dunbar, where they were joined by the archbishop, Huntly, Atholl, Bothwell, and others.<sup>1</sup> Darnley had acted treacherously, and the nobles whom he had forsaken, knowing their danger, retired to Linlithgow. The day after their departure Mary returned to Edinburgh.<sup>2</sup>

The archbishop was accepted into the queen's company, but he had been growing in favour with her. At the beginning of the year three persons appeared before the Secret Council and gave caution that the castle of St Andrews, being handed over to John, Archbishop of St Andrews, would be delivered to the king and

<sup>1</sup> Mary's letter to the King and the Queen-Mother of France (Venetian Papers, 1558-1580, 361).

<sup>2</sup> Nau ('Memoirs of Mary Queen of Scots,' 332) says that the archbishop met the queen near Musselburgh on the 19th, and accompanied her to Edinburgh.

queen when they should require it, under the pain of 5000 merks.<sup>1</sup>

The destination of the castle required the approval of the queen, who, in granting it, showed that she did not count the archbishop among her enemies. Caution was given also for Arran, in whose interest the archbishop and others appeared before the Secret Council. He had been warded in Edinburgh Castle; and they gave surety that he would remain in Hamilton Castle and four miles thereabout during the queen's pleasure, or, upon warning of twenty days, would be sent to the castle of Edinburgh, Dunbar, or Dumbarton.<sup>2</sup>

Mary had no strong man among the nobles or prelates who could be of use in restoring the ancient Church. At the time of her marriage with Darnley, when her opponents were seeking help from England, she had asked the pope to aid her; but no assistance had been given.<sup>3</sup> Fresh overtures were made, and on May 12, 1566, Pius V. promised to furnish money and

<sup>1</sup> R. P. C., i. 416. On Sept. 2, 1565, a messenger accompanied Robert Leslie to receive the Castle and Abbey of St Andrews (T. A.); and on Sept. 8, letters were issued for the sequestration of Moray's St Andrews rents, and for the production of accountants' books (Ibid.). By order of the king and queen a mandate had been issued on July 31 to the treasurer to pay Robert Leslie of Arthoursier his expenses for keeping the Castle of St Andrews "in thir lait trublis" (State Papers).

<sup>2</sup> R. P. C., i. 452, 453.

<sup>3</sup> 'Papal Negotiations,' 98, 228, 229.

send a nuncio to Scotland.<sup>1</sup> The person named was Vincenzo Laureo, Bishop of Mondovi; but events moved rapidly, and the Italian prelate never entered Scotland, nor did Mary receive a grant from the papal treasury.<sup>2</sup> Laureo was in Paris in August, where he received instructions to announce in Scotland the institution of a jubilee *contra Turcas*, and to send the necessary documents to the Archbishop of St Andrews, provided he was still so styled.<sup>3</sup> Documents were despatched to the archbishop and his suffragans; but the jubilee was not proclaimed, as Mary did not dare to create a revolution.<sup>4</sup> The nuncio duly reported to the Cardinal of Alessandria that he had received an answer from the Archbishop of St Andrews. "Of this answer," he said, "written in northern characters, difficult to read, I send a copy to your eminence, from which you will clearly understand the piety and zealous goodness of that prelate."<sup>5</sup>

On June 19, 1566, Mary gave birth to a son, the future James VI. of Scotland, and some months later the child was baptized by the Archbishop of St Andrews. At a meeting of the Secret Council on October 6, the name of

<sup>1</sup> 'Papal Negotiations,' 237.

<sup>2</sup> Ibid., 107, 108. Thanks were given for the promised subsidy (Ibid., 322).

<sup>3</sup> Ibid., 107, 108.

<sup>4</sup> Ibid., 283.

<sup>5</sup> Ibid., 323.

the archbishop was entered on the *sederunt*; and yet on May 16 of the following year, as the record shows, he was chosen and admitted by the Queen's Majesty to be of her Secret Council and took the oath. Ambassadors representing some of the great powers were expected to be at the baptism; and, as it was customary to grant the sovereigns of Scotland money to meet extraordinary expenditure for ceremonies such as this, a sum of £12,000 was voted. Half of the money was guaranteed by the spiritual estate; and the attendance of the archbishop and other prelates at the Council in October was probably connected with this tax.<sup>1</sup>

When on December 17 the prince was baptized,<sup>2</sup> it was the Earl of Bothwell, not Darnley, who superintended the arrangements in the castle of Stirling. Mary had not forgiven her husband for his part in the Riccio murder, and so strained were their relations that he had seriously intended to seek a refuge in France. In a communication dated October 8, and authorised by Morton, Moray, Argyle, the archbishop and others, information was given to the queen-mother of France regarding the things that had passed between their Majesties. The lords asserted that Darnley had no cause of complaint,

<sup>1</sup> R. P. C., i. 485, 486, 509.

<sup>2</sup> On the date cf. Hay Fleming's 'Mary Queen of Scots,' 424.

but on the contrary had the very best reason to look upon himself as one of the most fortunate princes in Christendom.<sup>1</sup> Spottiswoode has included in his 'History' a graphic description of the baptismal ceremony. "The Prince," he says, "was carried by the French Ambassadour, walking betwixt two ranks of Barons and Gentlemen that stood in the way from the chamber to the Chappel, holding every one a proket of wax in their hands. The Earl of Athol went next to the French Ambassador bearing the great sierge of wax. The Earl of Eglinton carried the Salt, the Lord Semple the Cude, and the Lord Ross the Bason and Ewer: all these were of the Romane profession. In the entry of the Chappel the Prince was received by the Archbishop of St Andrews, whose collaterals were the Bishops of Dunkeld, Dunblane, and Ross; there followed them, the Prior of Whithorn, sundry Deans and Archdeans, with the Gentlemen of the Chappel in their several habits and copes. The Countesse of Argyle by commission from the Queen of England did hold up the Prince at the Font, where the Archbishop did administer the Baptisme with all ceremonies accustomed in the Roman Church, the spittle excepted, which the Queen did inhibit." The Venetian minister in France, writing to the signory, reported that at the baptism all the rites

<sup>1</sup> Cf. Keith's 'History,' ii. 453.

of the Roman Church were observed, "very much to the satisfaction of the Catholics, who for the last seven years have never seen any bishop in pontifical robes."<sup>1</sup> The queen's prohibition of the use of the spittle was mentioned by the prince himself in "A Premonition to all most mightie Monarchs, Kings, Free Princes, and States of Christendome," which he wrote after he had come to man's estate. "As for the Queene my mother of worthy memorie," he said, . . . "she was so farre from being superstitious or jesuited therein that at my Baptisme (although I was baptized by a Popish archbishop) she sent him word to forbear to use the spettle in my baptisme, which was obeyed, because indeed a filthy and an apish tricke, rather in scorne than imitation of Christ, and her owne very words were, 'that she would not have a pokie priest to spet in her child's mouth.'"

Baptism in accordance with Catholic ritual was desired by the queen, but in making preparations for the ceremony she had to act with the greatest caution. The private Masses in Holyrood, after her arrival from France, had created a scandal in the eyes of the fervid Protestants; and now the baptism by a Catholic prelate of the child who might live to be King of Scotland required the shrewdest arrangement. The Protestants, who

<sup>1</sup> Cal. of Venetian Papers, 1558-1580, 378.

were convinced that Mary was working for a Catholic reaction, were not mistaken. In September the Bishop of Mondovi was able to tell the Cardinal of Alessandria that the baptism, it was believed, would be according to the ancient rite of the Holy Catholic and Roman Church, and that it would be "a good beginning." He explained that there was no public church for the Catholics, or even for the queen, and therefore the baptism would be celebrated in the royal chapel of Stirling.<sup>1</sup> Writing to the cardinal on December 3, he said that the queen was sending a Scotsman, Stephen Wilson, to Rome to make excuse to the pope for not intimating sooner the birth of the prince, her son. She wished first, he explained, to make sure of her people, so as to be able at one and the same time to announce his spiritual with his temporal birth—that is to say, her wish and power to baptise him according to the ancient custom of the Holy Catholic and Roman Church.<sup>2</sup> Mary herself informed Pius V. that the baptism was to be according to the Catholic rite, and that she had obtained the consent of her nobles—"not without great difficulty." The ceremony, she hoped, would be the beginning of the return to Catholic observances.<sup>3</sup>

<sup>1</sup> 'Papal Negotiations,' 282, 283.

<sup>2</sup> Ibid., 322.

<sup>3</sup> Ibid., 324. The letter to Pius V. is printed in Jebb's '*Histoire de Marie Stuart*,' ii. 51; and in Labanoff, '*Lettres de Marie Stuart*,' i. 369.

On December 23, immediately after the baptism, the Consistorial Court, of which the Archbishop of St Andrews had been the head, was re-established. A letter was issued by the king and queen, "restoring and reponing oure Soueranis weilbelouit and traist counsalour Johnne Archibishop of Sanctandros, Primat and Legat of Scotland, to all and sindrie his jurisdictionis alsweill vpoun the south as north sydis of the watter of Forth within the diocie of Sanctandros, quhilk pertinit to the archibishoprik of the samin, to be usit be him and his Commissaris in all tymes cuming in the samin maner and forme of iustice as it is now usit with all and sindrie commoditeis usit and wount perteinig thairto: dischairgeing be thir presentis all vthiris officiaris quhatsumewir now establischt thairintill of thair offices forder in that pairt." <sup>1</sup>

At the Reformation the consistorial jurisdiction of the prelates of the ancient Church ceased, and cases relating to marriage, legitimacy, and divorce were heard by the Court of Session, or by the Kirk in its Assemblies. Troubles arose, owing to the totally different constitution of these courts, and in July 1562 the General Assembly asked the Secret Council to transfer the judgment of divorce cases to the Kirk, or to appoint men of

<sup>1</sup> Robertson's 'Statuta,' i. 178.

good life to take order thereof.<sup>1</sup> Four commissioners were named by the queen in 1563 to exercise the authority formerly entrusted to the metropolitan and diocesan consistories. In despite of the Act of 1560 abolishing his jurisdiction, the archbishop had given judgments on occasion, as if he still possessed authority. The records show that in 1561 he granted two commissions connected with the confirmation of charters: in the following year, under the designation of "Primate of all Scotland and Legate with the power of a Legate *a latere* of the Apostolic See," he issued a commission relative to an action of divorce raised by the Earl of Eglinton, and, in the end, gave a dispensation for a second marriage. Again, at the supplication of the queen in 1565, he collated Alan Stewart to the Abbey of Crossraguel.<sup>2</sup>

The restoration of the consistorial jurisdiction to the archbishop signified very plainly that the queen treated the Act of 1560, to which she had not given her sanction, as invalid or illegal. Her correspondence with Rome shows that she was being urged and was expected to restore the ancient Church. In her letter to Pius V., as has been noted, she uttered the wish that the baptism of the prince in accordance with the Catholic

<sup>1</sup> 'Booke of the Universall Kirk,' i. 19, 23.

<sup>2</sup> Robertson's 'Statuta,' i. 174, 176.

ritual might mark the beginning of a return to Catholic practice. It may be that, in the exercise of the royal prerogative for the restoration of the archbishop's authority, she was impelled solely by the desire to restore the old Church; but it is possible, on the other hand, that personal interest constrained her to intervene in connection with the consistorial jurisdiction. The murder of Riccio had alienated her from Darnley: her passion for Bothwell had grown with her hatred of her husband. It was Bothwell who took charge of the arrangements when the prince was baptized. Within a short time after the ceremony in the chapel of Stirling Castle Darnley was murdered, and it was to the charge of Bothwell that the crime was laid. In the continuation of Knox's 'History,' it is alleged that the restoration of the Consistorial Court was effected at Bothwell's instigation. Though the writer could have had no direct knowledge of the fact, his words indicate that there were some who believed that the earl was the queen's adviser. Bothwell knew that a divorce of Mary from Darnley and his own divorce, if he was to marry the queen, must be granted by a court with a jurisdiction valid in her eyes. Mary's divorce had been discussed at Craigmillar Castle, where she held a conference with Moray and Lethington; but, according to her protestation

of a later year, she rejected the plan, as a judgment in her favour would rest on the irregularity of the papal dispensation for the marriage, and would imply the illegitimacy of her son.<sup>1</sup> Yet in little more than a month after the Craigmillar conference the consistorial jurisdiction of the archbishop was restored.

It has been suggested that it was Lethington, on behalf of Bothwell, who advocated the re-establishment of the prelate's court, and that Mary consented, in order that the Catholic Church might benefit by the proposal made by men who were Protestants.<sup>2</sup> If they were the advisers, Bothwell and Lethington could not have intended to advance the Church or to help a Hamilton; but Mary was clever enough to take advantage of a suggestion, and, by giving back his consistorial power to the archbishop, to strengthen the Catholic Church.

No sooner had the queen issued her writ than the Protestant clergy took action. The General Assembly, on December 27, ordained that a supplication be made to the Lords of the Secret Council concerning the commission of jurisdiction supposed to be granted to the Archbishop of St Andrews. The supplication was as follows:—  
“Seing that Satan, be all our negligence, Right

<sup>1</sup> C. S. P., ii. 947. Cf. Henderson's 'Mary Queen of Scots,' ii. 415.

<sup>2</sup> Hosack's 'Mary Queen of Scots,' i. 177.

Honourable, hes so farre prevailit within this realme within these late dayes that we do stand in extreame danger, not only to lose our temporal possessiouns, but also to be depriuit of the glorious evangell of Jesus Chryst, and soe we and our posteritie to be left in damnable darknes ; We could no longer contane ourselves, nor keep silence, least in so doing we might be accuseit as guiltie of the blood of sick as sall perish for lake of admonishment, as the prophet threatens. We therfor in the feare of our God, and with greife and anguish of heart, complaines unto your honours, yea must complaine unto God, and all his obedient creatures, that that conjured enemie of Jesus Chryst, and cruell murtherer of our brethren most falslie stylit Archbischop of St Androes, is reponit and restoreit, be signatur past, to his former tiranie ; for not only are his ancient jurisdictiones (as they are termit) of the haill bischopruck of St Androes grantit unto him, but also the executioun of judgement, confirmation of testaments, and donatioun of his benefices, as more amplie in his signatur is exprest. . . . His ancient jurisdiction was, that he with certaine his colleagues collaterals, might have dampnit of heresie as it pleasit him, and then to take all that were suspect of heresie. What they have judged to be heresie heirtofoir ye cannot be ignorant ; and whither they remaine

in ther former malice or not, ther plots and travells oppinly declares. The danger may be fearit, say ye, but quhat remedy? It is easie and at hand, Right Honorable, if ye will not betray the cause of God and leave your brethren, whilks never will be more subject unto that usurped tyrannie then they will unto the devil himselfe. Our Queine belyke is not well in-formit; scho aucht not, nor may not justly break the lawes; and so consequentlie, scho may not sett up against us, nor without our consent, that Romane Antichryst againe: For in ane lawfull and most frie parliament that ever was in this realme before, was that odious beast depryvit of jurisdiction, office and auctoritie within this realme. Her Majestie at her first arrivall, and be diverse her proclamatiouns sensyne hes expressley forbiddin all other form and fact of religioun, but that whilk scho fand publicklye established at her arriveal; therfor scho may not bring us, the greatest part of the subjects of this realme, back again to bondage, till that als lawfull and als frie ane Parliament as justlie damned that Antichryst and his usurped tyranie, have given decisioun betwixt us and him. . . . Farther at this present we complain not, bot humblie craves of your Honours ane reasonable ansuer quhat ye will do, incase that sick tyrants, and invadeing wolves, be givin to devore the

flocke of Jesus Chryst within this realme, under quhat title that ever it be; for this we boldly confesse, that we will never acknowledge, neither pastors to our souls, nor yet judges to our cause. . . . Givin in the Generall Assemblie and third Session therof, at Edinburgh the 27 of December, 1566.”<sup>1</sup>

The supplication shows the hand of Knox, who warned the “professors” of the danger of the power granted to the archbishop. Heading a letter with the words, “The Lord cometh, and shall not tarry: Blessed shall he be whom He shall find fighting against impiety,” he wrote:—

“To deplore the miseries of these our most wicked dayes (Beloved Brethren) can neither greatly profit us, neither yet relieve us of our present calamities; and yet utterly to keep silence cannot lack the suspicion of apostacie, and plain defection before God, and from his truth, once by us publikely professed. For now are matters (that in years bypast have been denyed) so far discerned, that he who seeth not the plaine subversion of all true Religion within this Realm to be concluded, and decreed in the hearts of some, must either confesse himselfe blinde, or else an enemy to the Religion which we professe: For besides the open erecting of Idolatry in divers parts of this Realme,

<sup>1</sup> ‘The Booke of the Universall Kirk,’ i. 88.

and besides the extreame povertie wherein our Ministers are brought . . . that cruell murderer of our brethren, falsly called Archbishop of St Andrews, most injustly, and against all law, hath presumed to his former tyrannie, as a signature past for his restitution to his ancient jurisdiction (as it is termed) more fully doth proport. . . . If we think not that this last erecting of that wicked man, is the very setting up againe of that Romane Antichrist within this Realme, we are deprived of all right judgement.”<sup>1</sup> Knox most probably was not aware of the suggested divorce, and could not have seen the letters from Rome urging the re-establishment of the ancient Church; but he judged rightly that Mary was doing everything in her power to restore the Catholic faith.

The archbishop with the queen’s writ in his possession did not wait for the Secret Council’s answer to the supplication of the General Assembly. Early in January 1567 he went with a retinue of one hundred men to Edinburgh for the purpose of setting up his court; but difficulties confronted him, and the court was not established. The Earl of Moray, according to one story, consulted with the provost, and the archbishop was requested to take no action “for fear of trouble and sedition that

<sup>1</sup> Knox, ii. 542.

might arise thereupon." It is narrated "that he was persuaded to desist at that time."<sup>1</sup> A matter so important as the revival of the consistorial jurisdiction of the archbishop could not fail to interest the Protestant counsellors of Elizabeth. Bedford told Cecil that the jurisdiction, found contrary to religion and not liked of the townsmen, had been revoked by Mary at the suit of Moray.<sup>2</sup> It is possible that the queen, being made aware of the plot for the removal of Darnley, understood that a divorce from her husband would not be required in the arrangement for a marriage with Bothwell. It may be that she had no knowledge of the murder plot, and in re-establishing the Consistorial Court sought only an ecclesiastical restoration. The infatuation, on the one hand, which she afterwards showed for Bothwell, creates a suspicion that the court was set up for the purpose of her own divorce, and the writ withdrawn when the murder plot was divulged to her; on the other hand, the fact that the prince's illegitimacy would be a consequence of the divorce suggests that she was not scheming for her own private ends, but simply for the Catholic Church.

Darnley was murdered on February 10, 1567, and Mary's guilt or innocence is one of the

<sup>1</sup> Knox, ii. 548.

<sup>2</sup> C. S. P., ii. 461.

problems of Scottish history. A rumour spread, and there were some who believed it, that though a divorce had been contemplated, the removal of the queen's husband was seen to be the easiest way of opening the road to a marriage with Bothwell. The reason, says the continuator of Knox's 'History,' why the king's death was so hastened was "because the affection or passion of the Earl Bothwell could not bear so long a delay, as the procurement of a bill of divorce required, although the Romish clergie offered their service willingly to the business, namely, Bishop Hamilton, and so he came great again at Court; and he for the advancement of the business did good offices to increase the hatred betwixt the King and Queen; yea, some that had been the chief instruments of the marriage of the King and Queen, offered the service for the divorce, seeing how the queen's inclinations lay."<sup>1</sup>

A few days after the baptism of the prince a pardon was granted to the Earl of Morton and others implicated in the Riccio murder; and on his return from England Morton stayed at Whittinghame, the house of Archibald Douglas, where he was joined by Bothwell and Lethington. A plot for the murder of Darnley was divulged, in which he was asked to take part.

<sup>1</sup> Knox, ii. 551.

He was assured that the queen approved; but he would not commit himself; and, when told a second time that Mary had given her consent, he asked for proof. "Bring me," he said, "the queen's handwrit for a warrant, and you shall have my answer." Mary, however, would not speak of the matter, and certainly gave no writing. While there is no reason to doubt that her name was used in the conversation at Whittinghame, the assertion of Bothwell is no proof in itself that she had agreed to the deed.<sup>1</sup>

Darnley, who had gone to Glasgow, became seriously ill. Mary visited him and, when he could be moved, took him to Edinburgh. Describing the journey to the capital, Buchanan asserts that the archbishop was with the party. "And that na Ceremonie of solemne sacrifices nicht be wanting," he says, "Johne Hamiltoun, Archibishop of Sanctandrois, was present as thair Preist, a Man befor defylit with all kynd of wickitnes, pamperit with the Spuilzeis and Murtheris of his Countrimen, ane auld Conquerour of mony murdering Victoreis."<sup>2</sup>

The king was not to be nursed in Holyrood, which was said to be too low-lying for an invalid. If he was suffering from smallpox, Mary may have been afraid of the spread of the disease.

<sup>1</sup> Tytler's 'History,' iii. vii.

<sup>2</sup> Buchanan's "Detection." Cf. 'Histoire Tragique de la Roynie d'Escosse,' Jebb, i. 309.

Certainly the palace would not have been a suitable building for a gunpowder plot, and there remains the fact that Mary did not have her husband by her side in her own home. By one account Craigmillar Castle was chosen for his lodging; but, showing that he had "na will" for it, he was taken to a house in the suburb of Kirk of Field. This house belonged to a brother of Sir James Balfour, who was one of the Bothwell party, and near it was a residence of the Duke of Châtelherault.<sup>1</sup> "Thair is neuer ane uther Hous neir," Buchanan says, "bot the Hammiltounis Hous, quhilk is about ane stanis cast distant, and that also stude voyde. Thether remuifit the Archebischop of Sanctandrois, quha alway befor was wont to be ludgeit in the maist populous Partis of the Towne. He also watchit all that Nicht that the king was slane."<sup>2</sup> After declaring that the prelate was not reconciled to the queen till she began to arrange the murder, the historian proceeds to say that a light seen in the duke's house was extinguished when the fatal explosion took place, and that the men in arms, who had been watching, were forbidden to leave the building.<sup>3</sup> According to another version of Buchanan's story, told in connection

<sup>1</sup> Anderson's 'Collections,' iv. 165.

<sup>2</sup> Buchanan's "Detection." Cf. Jebb, i. 310. According to a Lennox MS. the prelate was with Lord Claud Hamilton (A. Lang's 'The Mystery of Mary Stuart,' 149).

<sup>3</sup> Buchanan's 'History,' xviii. 15.

with charges against the archbishop before his execution, the murder was entrusted to six of Hamilton's men, who strangled the king when asleep, carried the dead body to the next garden, and then blew up the house. This version was received from John Hamilton, one of the perpetrators, who so suffered in mind and body that just before his death he confessed to a priest and named his accomplices. The priest, appearing at Stirling, repeated the story; and the archbishop, who was a prisoner, simply asked if he was aware of the punishment awaiting those who divulged confessions. It is further related that the priest afterwards was condemned for saying Mass, and before he suffered once more told the tale of the confession.<sup>1</sup>

“At hir cuming to Edinburgh,” it is narrated in the ‘Book of Articles’ presented to the commissioners at Westminster, “she convoyit the king to the appoynted ludging. Bot he of accident ryding a little afore hir lichtit in the Kirkzard of the Kirk of field, and past directlie to the duik of Chastellerhaultis ludging becaus it wes the maist gudeliie hous he saw ewest the kirk, thinkand it thairfoir to be preparit for him. Bot the beschop of Sanctandros purpoislie ludgit in it at that tyme onely to debar the king fra it,

<sup>1</sup> Buchanan's ‘History,’ xx. 35. The story is repeated in the ‘Historie of King James the Sext,’ 71, and in Herries’ ‘Memoirs,’ 133.

and the quene finding him standing at the zett of the duikis hous, desirit him and causit him cum to the uther unworthy house prepairit for his distructioun.”<sup>1</sup>

There is still another account given by Buchanan of the archbishop's complicity in the murder plot. In the “Admonitioun” he sets forth how “Efter that the quene had maryit with him quhome thay estemit thair auld enemye, and was with chylde, the gude Bischop of Sanctandrois, first callit Cuninghame, estemit Cowane, and at last awowit Hammiltoun, not only conspyrit with the Erle Bothwell, bot come with the quene to Glasgow, and convoyit the king to the place of his murther, the bischop being lodgeit as he was seildoum or neuer of befor whair he nicht persaif the plesure of that crueltie with all his sensis, and help ye murtheraris, gif mister had bene, and send four of his familiar seruandis to the executioun of the murther, watching all the night, and thinking long to haue the joy of the cumming of the crowne a degre neirer to the hous of Hammiltoun. And sa greit hoip, mellit with ambitioun inflammit his hart, for the kingis deceis, that within schort tyme he beleuit firmlie his callit brother to be king, and he (the said bischop) to be to him as curatour during the haill tyme of his nonwit: quhilk had bene a langer

<sup>1</sup> Cf. Hosack, i. 535.

terme than Witsunday or Martymes. For he thoct undoutitly that the Erle Bothwell sould distroy the young prince, and nocht suffer him prosper to reuenge his fatheris deith, and preceid the erlis children in successioun of the crowne : and the young prince anis cut of, the bishop maid his rekning, that the quene and the Erle Bothwell, hatit alreddy for the slauchter of the king hir husband, and mair for the innocent, wer easie to be distroyit with consent of all estatis, and the cryme easie to the bishop to be prouin, quha knew all the secreitis of the haill disseigne."<sup>1</sup>

The evidence that the archbishop was suspected as, or directly charged with, being an accomplice in the murder is not derived solely from Buchanan's statements and the 'Book of Articles.' On July 1 Robert Melville told Cecil that the Hamiltons feared the king's murder would be laid to the charge of the Bishop of St Andrews;<sup>2</sup> again, on August 20, Throckmorton informed Elizabeth that the bishop was detected by a person of good credit to have been privy and consenting.<sup>3</sup> Further, according to a report in the secret archives of the Society of Jesus, it was held to be certain that he would be cited as having a share in the

<sup>1</sup> "Admonitioun," cf. C. S. P., iii. 123; Teulet, 'Relations Politiques' (Factum contre les Hamiltons), iii. 366.

<sup>2</sup> C. S. P., ii. 544.

<sup>3</sup> Cf. Keith, ii. 741.

crime.<sup>1</sup> A year after the tragedy the Archbishop of Glasgow wrote to the Cardinal of Lorraine that Moray was determined to prosecute the Archbishop of St Andrews, "on the plea that he had a hand in the murder," and that the plea was a calumny.<sup>2</sup> At a later stage, when the queen was a prisoner in Lochleven Castle, De Silva reported that the party against Moray, which was growing in number, demanded the release of Mary, and justice to be done on certain members of the government, said to be implicated in the murder. The leader of the party was the Archbishop of St Andrews, who was determined that the charge against him should not be calmly accepted.<sup>3</sup>

The detailed account of the archbishop's alleged connection with the plot is furnished by Buchanan, who was a Lennox man. His statements, however, are singularly inconsistent. Undoubtedly there were rumours that Hamilton was implicated; but the evidence against him was never seriously considered. The rumours would spread easily in a time of excitement, especially as the house of Hamilton was a rival of the house of Lennox, and the archbishop was known to be passing into the queen's favour.

On the day of Darnley's death, the Privy

<sup>1</sup> Nau's 'Memoirs of Mary Queen of Scots,' 152.

<sup>2</sup> Ibid., clxxxvi.

<sup>3</sup> Cal. of Spanish Papers, 1568-1579, 13.

Council prepared a statement to be presented to the King of France. The archbishop, who was at the meeting, must have been aware of the untruth in the assertion that the explosion just failed to destroy "the Queen and most of the nobles and lords in her suite who were with the king till midnight." The explosion, as the evidence shows, did not take place till two hours after midnight.<sup>1</sup>

Immediately after the burial of her husband Mary left Edinburgh for Seton, and was accompanied by Hamilton.<sup>2</sup> It was natural that, if innocent, she should have spiritual comfort, and, if guilty, priestly help. If, on the other hand, Mary and Hamilton were both implicated, there was at Seton simply a conference or association of conspirators.

Lennox, the father of Darnley, demanded that Bothwell should be brought to trial for the murder. As there was a general belief that the accused was guilty, Lennox could not be ignored. Mary, too, was suspected, and she could not shield her lover. On April 12 Bothwell was tried and acquitted; but the judgment did not establish his innocence. He was not troubled by the hatred of the people, and as he had dared to murder the king he would dare to marry

<sup>1</sup> The letter is given in Laing's 'History,' ii. 94.

<sup>2</sup> Diurn. of Occurr.

the queen. Invitations were sent to the leading Protestant and Catholic nobles to meet him at supper at Ainslie's tavern, where he persuaded them to sign a declaration of their belief in his innocence and of their approval of his marriage with Mary. To one copy of the bond are added "the names of such of the nobility as subscribed, so far as John Read (George Buchanan's secretary) might remember," but that of the archbishop is not included. Another copy, which was preserved in the Scots College, Paris, was attested by Sir James Balfour of Pittendrich, who had the original in his possession, and it shows the archbishop as the first signatory.<sup>1</sup> Hamilton had been in close association with the queen, and must have seen her infatuation. It is plain that if he desired to retain her favour he would be forced to sign the bond, even though she was to marry a Protestant. If she eventually triumphed over her enemies he would merit her approbation: if she destroyed her good name and lost her crown, there might be profit to the house of Hamilton, which was more to him than even the ancient Church.

In the Parliament held shortly after the Both-

<sup>1</sup> Keith's 'History,' ii. 565-569. Fraser's 'Melville,' i. 89. Calderwood says the archbishop's name "is counterfoote in the principall."

well trial the archbishop was chosen one of the Lords of the Articles, an honour which would not have been given had he quarrelled with the earl.<sup>1</sup> At the time of the Riccio murder Mary was blamed for directing the Estates in their choice of the men who were to arrange business. It seems certain that she again intervened, since the Parliament of April 1567 was the first after the Reformation in which a Catholic prelate served as a Lord of the Articles.

Immediately after the meetings of the Estates Mary went to Stirling to see her son; and as she was returning to Edinburgh she was seized by Bothwell and carried off to Dunbar. No one doubted that she was a consenting party to the raid. Events moved quickly. On April 29 an action was raised by Lady Bothwell, before the Commissioners, for a divorce from her husband on the ground of his adultery: on May 3 judgment was given in her favour. The earl, too, began proceedings. He desired that his marriage with Lady Bothwell should be declared null, as having been contracted against the canons dealing with parties related within forbidden degrees. A commission, dated April 27, 1567, was granted by the Archbishop of St Andrews to certain persons to try the case. Mr Archibald Crawford, Parson of Eglesham,

<sup>1</sup> C. S. P., ii. 491. A. P.

and Mr John Manderston, Rector of Bolton, accepted the delegation; and on May 5 Manderston, the only judge who was present, heard witnesses. Among others Lady Bothwell and Alexander, Bishop of Galloway, who did marry the said earl and his lady in Holyroodhouse Kirk in February 1566, had been summoned to appear by themselves or their procurators in St Giles' Kirk. On the following day the agent for the Countess of Bothwell objected to the evidence, and at the same time renounced further defence. Judgment was given by Manderston on the 7th; and he found that the marriage was null from the beginning, as the parties were within the forbidden degrees of consanguinity, "which hindered their lawful marriage without a dispensation obtained of befoir."<sup>1</sup>

The institution of the archbishop's Court presents a difficulty. Did the prelate receive a new commission, or did he act in virtue of the restoration in December 1566 of his consistorial authority?<sup>2</sup> Bedford, in his letter to Cecil, de-

<sup>1</sup> Principal Robertson's 'History of Scotl.,' ii. 355 (Edinburgh, 1840). Robertson's 'Statuta,' i. 180. Goodall, ii. 87. Stuart, 'A Lost Chapter in the History of Mary Queen of Scots,' 90. On September 13, 1568, the Regent Moray charged Manderston to make an extract of the divorce (T. A.).

<sup>2</sup> Riddell ('Peerage and Consistorial Law,' i. 433) thinks that a special commission was issued; and Burton ('History,' iv. 221) agrees. Stuart ('A Lost Chapter,' 91) holds that there was no such commission.

clared, in very distinct terms, that the authority had been revoked,<sup>1</sup> but, on the other hand, no special writ for the jurisdiction exercised on April 27 and subsequent days has been discovered. This question regarding the institution of the Court cannot be answered, and, fortunately, it is of little historical importance. The interest lies in the case itself. The marriage of the Earl of Bothwell and the Lady Jean Gordon was dissolved on the ground that the necessary dispensation had not been obtained. Mary professed to be satisfied, and when contending for the validity of her marriage with Bothwell, did not make reference to the writ of divorce granted by her own Commissioners. In a letter of instructions to her envoy at the French Court, written immediately after her marriage, she said, "In cais it salbe objectit to you be the King, the Quene oure modir . . . that oure present mariage can nocht be lauchfull, in respect that he quhome withall we ar presentlie joynit wes of befor couplit to a wyff, ye sall reply and ansuer according to the verie treuth, That albeit he was befor mareit, yit befor oure mariage with him, the former contract and band wes be the ordoure of law expressit in the canonis ressaute and practizit in our realme, for lauchfull causs of

<sup>1</sup> C. S. P., ii. 461.

consanguinitie and utheris relevant, dissoluit, and the proces of diuorce ordourlie led; swa that we on the ane part, and he on the uther syde, being bayth fre, the mariage mycht lauchfullie and weill aneuch be accomplissit be the lawis of this realme, as now at Goddis pleasour it is; quhairby the forsaid objectioun or ony the lyke tending to this fyne may be elydit and set by.”<sup>1</sup> Instructing her envoy to Queen Elizabeth she said: “It may be thatoure gude sister sall allegeoure present mariage not to be lauchfull, in sa far as the Dukeoure husband wes couplit to a wyff of befor, quha zit levis: Ye sall answer, That be the lawis ressavit withinoure Realme, and often tymes practizit, as is notoure aneuch, his formar mariage was dissolvit, and the proces of divorce ordourlie led, for resolute causis of consanguinitie, and utheris, befor our mariage with him, and swa we mycht lauchfullie consummat the samyn, for it is na new thing nowther in Scotland nor England.”<sup>2</sup>

The marriage of Bothwell and Lady Jean Gordon was declared to be null on the ground that the parties were related within forbidden degrees and had received no dispensation. As persons of note, desiring to be married, were in so many cases related within these degrees, it was the custom to obtain dispensation; and it

<sup>1</sup> Robertson's 'Statuta,' i. 181.

<sup>2</sup> Keith, ii. 605.

would have been remarkable had there been none for the Bothwell-Gordon marriage.<sup>1</sup> In the 'Book of Articles' it was set forth that the marriage was declared null only "becaus the dispensatioun wes abstracted";<sup>2</sup> while in the "Detection," prepared by George Buchanan, it was said that they "keipit clois the Papis Bull, be quhilk the same offence was dispensit with."<sup>3</sup> For a time nothing was heard of the dispensation, but long afterwards, when the affair was only of historical interest, a notarial record, with the proof of consanguinity of the parties, was published. It is a record of "the supputatioun and verificatioun of the degreis of consanguenitie, attening in dowbill ferdis of consanguenitie, in the quhilkis dispensatioun passit betwixt an noble and mychty lord James Hepburne, Erle Bodwell . . . and an nobill and mychty ladie Jane Gordoun &c." Three days before the marriage, which was celebrated on February 21, 1566, witnesses appeared "in præsentia Magistri Alexandri Forrest, rectoris de Logymontrois, prothonotarii secretariique et datarii reverendisimi domini et Domini Joannis Archiepiscopi Sancti Andreae, Legati &c."<sup>4</sup> The record shows that evidence was taken regarding the relation-

<sup>1</sup> Cf. Jebb, i. 295.

<sup>2</sup> Cf. Hosack, i. 544.

<sup>3</sup> Anderson's 'Collections,' ii. 34; Jebb, i. 148.

<sup>4</sup> Tytler's 'Inquiry into the Evidence against Mary Queen of Scots,' ii. 401. Robertson's 'Statuta,' i. 182. Maitland, Misc., iv. 117. Stuart's 'A Lost Chapter,' 87.

ship of parties, and it is apparent that a dispensation must have been granted.

In the nineteenth century a document was found among the Sutherland papers which is, or seems to be, the original dispensation;<sup>1</sup> and it may well be supposed that Lady Jean Gordon, who became the wife of the Earl of Sutherland, carried off to her new home a proof of the validity of her first marriage. The dispensation, dated February 17, 1566, was granted by John, Archbishop of St Andrews, Primate of the whole realm, Legatus Natus, Abbot of Paisley in the diocese of Glasgow, and Legate with the power of a Legate *a latere* of the holy Apostolic See. By its permission was given, in spite of relationship, for the marriage of the persons named. Doubt has been cast on the genuineness of the document, owing to a mistake in the name of the pope.<sup>2</sup> The document ends with the words “datum sub sigillo nostro apud monasterium nostrum de Pasleto anno incarnationis Dominice millesimo quingentesimo sexagesimo quinto xiiij<sup>o</sup> Kalendas Martii pontificatus sanctissimi domini nostri Pape Pii quarti anno septimo &c.”; and yet Pius IV. was dead at the recorded date, and Pius V. reigned in his stead.

The Sutherland writ does not appear on ex-

<sup>1</sup> Stuart, ‘A Lost Chapter in the History of Mary Queen of Scots Recovered.’

<sup>2</sup> ‘Mary Queen of Scots,’ by an Elder of the Church of Scotland (Aberdeen, 1889).

amination to be a forgery;<sup>1</sup> and there is, in any case, the evidence that a proof of consanguinity was taken, as there is the certainty that a dispensation must have been granted. That dispensation was ignored by the archbishop, who knew that the queen desired the dissolution of the Bothwell marriage. Drury, suspecting the Hamiltons, declared to Cecil that they were the "furtherers of the divorce, hoping to attain the sooner to their desired end."<sup>2</sup> Mary herself, when granting a commission in 1569 to prosecute a divorce from Bothwell, alleged that learned and expert doctors in divine and human laws had advised her that "her pretended marriage" was in no ways lawful, seeing that he being contracted to another wife was "nocht lauchtfullie divorcet fra her."<sup>3</sup> She referred, too, in her instructions to a papal envoy, to the "pretended divorce."<sup>4</sup>

The Bothwell-Gordon marriage was dissolved to Mary's satisfaction; but her union with the earl would have been unseemly, so long as his crime of carrying her off to Dunbar was unpardoned. On May 12 she declared, in presence of the Lords of Session, the Archbishop of St Andrews, and others, that she forgave the Earl of Bothwell and his accomplices for taking and

<sup>1</sup> Appendix IX.

<sup>2</sup> Cf. Hosack, i. 321.

<sup>3</sup> Nat. MSS. of Scotl., iii. 59.

<sup>4</sup> Labanoff, iii. 232.

imprisoning her.<sup>1</sup> After this display of mercy a contract of marriage was signed, to which the prelate was one of the witnesses.<sup>2</sup> The wedding took place on May 15, and the ceremony was performed by a Protestant minister. Hamilton was present as a guest,<sup>3</sup> though, according to Lesley, he did not approve the union. "Above all," he says, "the Archbishop of St Andrews, the Bishops of Ross and Dunblane, the Earl of Montgomery, and the Lord Seton, all of whom had ever been foremost supporters of the queen, used on this occasion their utmost efforts to oppose a proceeding which was illicit, and likely to bring great harm and shame upon her."<sup>4</sup>

The opposition of the prelate, if there was any, was not made known to the queen, as on the day after the wedding he was admitted in her name to the Privy Council. On May 17 he attended; and again two days later, when Bothwell with the title of Duke of Orkney was present.<sup>5</sup> Few weeks passed before Mary knew that she was being shunned by many of the lords who were wont to stand by her in her Court. Darnley had perished, and she had married with indecent haste the man believed by every one to be his

<sup>1</sup> C. S. P., ii. 913. Keith, ii. 579.

<sup>2</sup> Labanoff, ii. 29. Reg. of Deeds, ix. 86.

<sup>3</sup> Diurn. of Occurr., 111, 112.

<sup>4</sup> 'Narratives of Scot. Cath.,' 123.

<sup>5</sup> R. P. C., i. 509, 510, 512.

murderer. In dread of being seized, she and Bothwell left the capital and hastened to Borthwick Castle, which proved to be no safe refuge. On June 10, a strong band, led by nobles, approached. Bothwell and then Mary fled to Dunbar, where they set about raising an army.<sup>1</sup> The lords returned to Edinburgh, and it was soon seen that the people were on their side. Apparently the archbishop did not understand the situation, as he offered along with certain prelates and lords to help in defending the town against the queen's enemies. In the end these men were glad to obtain a shelter in the castle, held by Sir James Balfour, who was supposed to be a partisan of Bothwell; but their stay was short, as Balfour, seeing that Bothwell's was a lost cause, declared against him.<sup>2</sup>

"The Earle of Huntlie," Lord Herries narrates, "and Mr John Hammiltoune, Archbishop of St Androes, and dyvers others, the queen's friends, were come to Edinburgh; whoe, not daring to byd in the toune for the number of their unfriends that daylie incresed, they slipt themselves into the castle, which was then commanded by Sir James Balfour. He willinglie receaved them.

<sup>1</sup> C. S. P., ii. 523. Bothwell had been made captain of Dunbar Castle, March 24, 1566 (R. P. S., xxxv. 14).

<sup>2</sup> Buchanan's 'History,' xviii. 44. Diurn. of Occurr., 113.

But in this verie tyme he was treating with the Confederat Lords for a revolt; and as soone as ever he had closed his conditions, he put them and the rest of the queen's friends that were within, out at a posterne gate safe; and then declared himselfe for the Confederats."<sup>1</sup>

The Confederates, having occupied the capital, issued a proclamation summoning the lieges to help in delivering the queen from the power of Bothwell; and many answered the call. Bothwell, too, after his flight from Borthwick, was able to gather an army. The forces met on June 15 at Carberry Hill. There was no real fight, however, as Mary ordered Bothwell to seek safety; and he fled, or was allowed to depart, to Dunbar. Husband and wife were never to meet again, and another chapter of Mary's tragic career was closed. At Carberry Hill the queen was eager for a battle, but many deserted from her ranks and she surrendered herself to her enemies. Buchanan narrates that the Earl of Huntly and the Archbishop of St Andrews convoked their vassals at Hamilton, and would have joined the royal force the day after the meeting at Carberry Hill. It appears, however, that the archbishop was in Edinburgh Castle for a few days after his appeal to the

<sup>1</sup> Herries' 'Memoirs,' 92.

townsmen, and could not have been calling out the vassals at Hamilton.<sup>1</sup> After her surrender the queen was taken to Edinburgh, and on June 17 was a prisoner in Lochleven Castle.

The Archbishop of St Andrews, the Bishop of Ross, Lord Huntly, and others sent a communication to the Archbishop of Glasgow, who was in France, telling him of the events which led to the queen's imprisonment, and announcing that they and other faithful subjects would assemble for her relief.<sup>2</sup> The declaration was not an empty boast. Finding that the people were turning in favour of the queen, who was now separated from Bothwell and a prisoner, some of her friends assembled at Hamilton and formed a party for her defence.<sup>3</sup> The Hamiltons saw that her continued imprisonment would lead to the coronation of the prince and to the appointment of a regent, probably Lennox, Morton, or Moray, who would rule the realm, and would certainly not give them a part in the government. A meeting of the leaders of the new party was arranged for June 29, when Argyle, Huntly, Fleming, Herries, the Archbishop of St Andrews, and Lesley, Bishop of Ross, attended. In true Scottish fashion a bond was prepared. "Forasmuch," the signatories said, "as the queen, our

<sup>1</sup> Buchanan's 'History,' xviii. 48.

<sup>2</sup> C. S. P., ii. 523.

<sup>3</sup> Herries' 'Memoirs,' 96.

sovereign, is detained captive in Lochleven, we, the subscribers, promise to make our exact diligence to put her to liberty, on such conditions as may stand with her honour, the commonweal of the realm and nobility, and the security of those who have her majesty in keeping. And if they refuse these reasonable conditions, we engage ourselves, our kin, friends, bodies, and lives for her liberty, and to concur in punishing the king's murder, and for the prince's liberty."<sup>1</sup>

The Queen of England, as was natural, was deeply interested in the affairs of Scotland; and information was constantly supplied. Throckmorton told her on July 14 that he had received a letter from the Archbishop of St Andrews and the Abbot of Arbroath, Châtelherault's son, and was sending a copy of it and of his answer. "Hearing," they wrote, "of your coming from the Queen's Majesty for 'releve' of our sovereign, we thought good to certify you of the good mind of most of her nobility to employ themselves therein; and that our long delay is from no lack of good will, but that we are very 'laith' to enter into blood amongst ourselves, if her liberty can be otherwise procured without hurt of the noblemen her 'detenars.'" Throckmorton, having replied with diplomatic

<sup>1</sup> C. S. P., ii. 536, 555. For the date of the bond, cf. Tytler, iii., viii.; Miscell. of Scot. Hist. Soc., ii. 211.

caution that he perceived their honourable resolutions for the "enlargement" of their sovereign,<sup>1</sup> proceeded to tell Elizabeth that Argyle and the Hamiltons were not united, and were seeking their own interests.

"The Hamiltons," he said, "make show of the queen's liberty, and prosecute it with great earnestness, for they would have these lords (those who had imprisoned her) destroy her, rather than she should be recovered from them by violence. Another while, they seem to desire her liberty and Bothwell's destruction, to compass a match between her and the Lord of Arbroath. Argyle affects her liberty to marry her to his brother. Yet neither of them (notwithstanding their 'bande') discover their minds to each other, or mind one end."<sup>2</sup> A few days later the archbishop and the abbot informed Throckmorton that they were waiting to see what would be the conclusion of the nobility convened in Edinburgh regarding the queen's liberty; and to this communication Throckmorton replied that he could "grow to no resolution with the lords."<sup>3</sup>

Whatever may have been the hopes and plans of the Hamiltons, the queen, under compulsion, abdicated and named the Earl of Moray for the

<sup>1</sup> C. S. P., ii. 560.

<sup>2</sup> *Ibid.*, ii. 560.

<sup>3</sup> Cal. of State Papers (Foreign), 1566-1568, 1507, 1518; C. S. P., ii. 574.

regency. On July 29 the coronation of the young king, James VI., took place at Stirling.<sup>1</sup> The archbishop and the abbot were invited to assist at the ceremony, and in replying gave thanks for the "gentle advertisement," which they liked as agreeable to their sovereign's will, and for their own part protested that the coronation should not prejudice the title of the duke and his heirs, if the king died without issue.<sup>2</sup> A formal protest was duly made by Arthur Hamilton, procurator for the Archbishop of St Andrews and the Abbot of Kilwinning, commissioners for the Duke of Châtelherault.<sup>3</sup> Sir James Melville narrates that he went to Hamilton, where were "my lord Hamilton, my lord Paisley, John Hamilton, bishop of St Andrews, my lord Fleming, Boyd, and divers others," and that he carried with him an invitation to these men to be present at the coronation. "Some of the younger lords," he declares, "answered and said that they would not believe that the Queen's Majesty had demitted the Government; and if she had done it, it would be found for to save her life. But the bishop, who had more experience than they, reproved them and said that those noblemen had dealt very reasonably and discreetly with them. So he drew the rest aside

<sup>1</sup> R. P. C., i. 537-542.

<sup>2</sup> C. S. P., ii. 581.

<sup>3</sup> R. P. C., i. 537.

to advise, and then returned and gave me this answer: 'We are beholden to the noblemen who have sent you with that friendly and discreet commission; and, following their desire, we are ready to concur with them, if they give us sufficient security of that which you have said in their name; and in so doing they give us occasion to construct the best of all their proceedings past and to come: So that if they had acquainted us with their first enterprise of punishing the murder, we should heartily have taken part with them. And whereas now we are here convened, it is not to pursue or offend any of them, but to be upon our own guards, understanding of so great a concourse of noblemen, barons, burroughs, and other subjects: For not being made privy to their enterprise, we thought fit to draw ourselves together, till we should see whereto things would turn.'<sup>1</sup> Melville was of opinion that the Hamiltons were unfairly treated, as they were not permitted to attend the coronation, and were not even allowed to take instruments that they should not be prejudged in any sort.

Throckmorton duly sent a report to his queen regarding the coronation, and went on to say that the lords intended to go to Paisley Abbey to make some reformation in religion and then

<sup>1</sup> Melville's 'Memoirs,' 171, 172.

to proceed to Glasgow.<sup>1</sup> Two days later he informed Cecil that the journey was abandoned, as the archbishop was showing himself a more conformable man in apparel and also in outward orders of religion.<sup>2</sup> In an earlier communication to Elizabeth, dated July 25, Throckmorton said that it was the purpose of the lords to "establish the religion" by some effective decree, to abolish papistry and mass-saying through the whole realm without respect of persons, "which article to put in use, they mind or it be long to proceed first against the Bishop of St Andrews, and then consequently against all other Bishops and men of his faction."<sup>3</sup> On August 9 the Englishman had a remarkable story to tell. Tullibardine had been to him and had alleged that the Hamiltons were seeking the queen's death, as there was only the young king between them and "home," and he might die. When Throckmorton expressed doubt Tullibardine replied, "My lord ambassador, I have no great acquaintaunce with you, but never take me for true gentleman, if this be not true that I tell you, and that the bishop of St Andrews and the abbot of Kilwinning have proponed this unto us within these forty-eight hours." Immediately after Tullibardine's visit Throckmorton received Lethington, who declared that if he and his friends who

<sup>1</sup> C. S. P., ii. 581.<sup>2</sup> *Ibid.*, 582.<sup>3</sup> Cf. Keith, ii. 698.

had engaged against the queen would consent to take her life they would be joined by all the lords who had kept aloof. Lethington added that the Archbishop of St Andrews and the Abbot of Kilwinning had sent a gentleman to them with that information.<sup>1</sup> The story was of startling interest for Throckmorton, who, as the agent of the English queen, was labouring for Mary's liberation and was in correspondence with the Hamiltons as the leaders of her party. It may be taken that Tullibardine and Lethington wished to damage the reputation of the Hamiltons by showing them as traitors; but it is hard to believe that all the lords, as Lethington stated, would be satisfied with her death. Some of them were attached to her and could have no motive for putting her out of the way. While doubt may be cast on the story, on account of Lethington's exaggeration, Throckmorton apparently accepted it, as he wrote to Leicester that the Hamiltons had changed their interest regarding the queen's liberty, and had "forborne intelligence with him."<sup>2</sup> He did not hesitate, however, to communicate with the Hamiltons. On August 13 he wrote to the Archbishop of St Andrews, Arbroath, and others of the queen's party, asking them in Elizabeth's name what they proposed to do for the restoration of the queen to

<sup>1</sup> C. S. P., ii. 588.

<sup>2</sup> C. S. P., ii. 589.

her dignity.<sup>1</sup> The archbishop and the abbot, with the Lords Fleming and Boyd, answered that the greatest of their party, Argyle, Huntly, and Herries, were not with them at the time, but for themselves they could say that they were determined by all honest means to seek their sovereign's liberty and restoration, as dutiful subjects ought, conform to their "bands," of which they sent copies.<sup>2</sup> The letter was acknowledged, and Throckmorton undertook to make known its contents to his sovereign.<sup>3</sup> What he thought of the Hamiltons he expressed to Cecil. "As for the Hammyltons," he wrote, "and theyre faction theyre condycions be suche, theyre behavvour so inordynate, the moost of them so unhable, theyre lyvynges so vycyous, theyre fydelytye so tyckle, theyre partye so weake, as I counte yt loste, whatsoever ys bestowed apon them."<sup>4</sup>

<sup>1</sup> C. S. P., ii. 598. Principal Robertson's 'History,' ii. 371.

<sup>2</sup> C. S. P., ii. 603.

<sup>3</sup> Ibid., 604.

<sup>4</sup> Ibid., 605.

1567-1571.

THE Earl of Moray, who was in France when named for the regency, arrived in Scotland on August 11, and on the 22nd was proclaimed.<sup>1</sup> The Hamiltons were aggrieved that the dignity had not been conferred on the Duke of Châtellherault, though they must have known from the beginning of Mary's troubles that he would not be favoured either by her or her enemies. He had been tried as Governor, and had been found wanting. Mary could not forget his rivalry with her mother for the supreme post in the state, or his constant assertion of his place in the line of accession to the throne; but, in any case, she was powerless when she agreed to name Moray for the regency. Before the proclamation on August 22, the Hamiltons, through the Abbot of Kilwinning, suggested terms to Moray. They asked him not to accept the regency till the duke's return from France, or till Argyle, Huntly, and the archbishop visited the queen and ascertained her mind. Further, when these sugges-

<sup>1</sup> C. S. P., ii. 607.

tions had been set aside, they requested that they should not be required to give obedience, or that the proclamation should not be published within their bounds.<sup>1</sup> When Moray had rejected their proposals, the Hamiltons, it was said, having appointed Arbroath, Argyle, and Huntly as regents, entered into an agreement to procure the queen's liberty, pursue Darnley's murderers, obey the prince as prince, and levy an army.<sup>2</sup> In the end prudence guided the leaders of the queen's party; and on September 15 Moray could send word to Cecil that Argyle had given obedience, and that the Abbot of Kilwinning had tendered the obedience of the archbishop and the duke's friends.<sup>3</sup> Huntly and Herries by message did the like, and the Regent felt that the realm would have repose.<sup>4</sup> It did seem as if Scotland was to have peace. The archbishop, learning from Herries that a great number of the barons in his country had passed to the Regent, advised that if summoned by Moray he should obey; and he assured him that if unreasonable promises were asked he could be trusted with his great wisdom, foresight, and experience so to handle matters as to do nothing prejudicial to his prince and his honour.<sup>5</sup>

<sup>1</sup> C. S. P., ii. 607.

<sup>2</sup> Ibid., 618.

<sup>3</sup> On Sept. 2, letters were sent to St Andrews "to discharge the commissaris seillis" (T. A.).

<sup>4</sup> C. S. P., ii. 619.

<sup>5</sup> Cal. of Foreign Papers (1566-1568), 1761.

A Parliament met on December 15, at which business of supreme importance was transacted.<sup>1</sup> The abdication of the queen, the coronation of the king, and the proclamation of the Regent were sanctioned. The Acts of 1560 touching religion were ratified, and the Confession of Faith was approved. At the same time the Estates determined that the imprisonment of the queen should continue, on the ground that her letters showed that she was aware of the plot for the murder of her husband.

The Parliament of 1567, with Moray as Regent, gave the legal sanction to the revolution which, though accomplished in 1560, Mary as queen would not acknowledge. The adherents of the Catholic faith could no longer plead that the old order had not passed. Moray was the stout champion of the Reformation, and the Protestants rejoiced in his rule. But though he had hoped it would have peace, the nation was divided; and he knew he would be opposed by the queen's party, of which the Hamiltons were the leaders.

Châtelherault's proxy, who was denied a place in the Parliament, reported that Moray had said to him, "Gyff the duke will not come heir and join himself with us, let him luk for nathing heir; and gyff he proposes (as we understand)

<sup>1</sup> On Sept. 30 a precept was sent to the archbishop to attend a Parliament (T. A.).

our destruction and to cutt our throwtes, ye sal be assurit that we sal find remeid and cut his and all thame that wald so do, rather nor our own sould be cuttit.”<sup>1</sup>

Moray's threats of violence, if they were ever made, showed that he was aware of the strength of the Hamilton opposition, and was resolved to crush it. The Archbishop of Glasgow, writing to the Cardinal of Lorraine, explained how the Regent and his supporters had determined that their religion should be uniformly observed throughout the whole country, and that “the Archbishop of St Andrews, the children of the Duke of Châtelherault, Lord Fleming, and the Earls of Cassillis and Eglinton, together with many others of the nobility, refused to belong to this party.”<sup>2</sup> Nau, who was Mary's secretary, represented in his account of her affairs that no sooner was Moray Regent “than he set about to persecute the Hamiltons (by whom he had been previously assisted), under the pretence of a false friendship.”<sup>3</sup> No friendship, either false or real, existed; and Moray complained to Cecil that they did not fully acknowledge the king's authority.<sup>4</sup> Their aim was to restore Mary, so that the regency would be overthrown, and more

<sup>1</sup> Maitl. Misc., iv. 118.

<sup>2</sup> Nau's ‘Memoirs of Mary Queen of Scots,’ clxxxvi.

<sup>3</sup> Ibid., 43.

<sup>4</sup> C. S. P., ii. 643.

than one attempt was made to rescue her from Lochleven Castle. At last, on May 2, 1568, she succeeded in escaping. After long and rapid rides she reached Hamilton, where the archbishop awaited her.<sup>1</sup> On her journey she had been met at Niddrie by Lord Claud Hamilton, who had been warned by the archbishop to be in readiness.<sup>2</sup> At Hamilton a bond was signed by her adherents, whose number and rank indicated how strong her party had grown. Among them were the archbishop, Argyle, Huntly, Eglinton, Crawford, Cassillis, Rothes, Montrose, and Sutherland.<sup>3</sup> In the 'News from Scotland' of the date, it was represented that the principals of the queen's faction were the archbishop, the Hamiltons, Herries, and Seton, and that they had drawn to them Eglinton and Fleming, and some mean gentlemen, friends of Bothwell. The subscribers to the bond, "considering that it had pleased God to put to liberty their sovereign lady the queen, forth of the hands of her disobedient and unnatural subjects, who have presumed to hold her most noble person in prison for 'thair awin prehemenance and particulareties, menassand and boistand frome tyme to tyme to tak hir magesteis

<sup>1</sup> C. S. P., ii. 652. Cal. Venet. Papers, 1558-1580, 425. In Birrel's Diary (Dalyel's Fragments), 15, it is wrongly stated that the archbishop met Mary at Lochleven.

<sup>2</sup> Nau's 'Memoirs of Mary Queen of Scots,' 167.

<sup>3</sup> Keith's 'History,' ii. 807.

lyfe maist unjustlie frome hir, expres aganis all lovable law of God and man'; for which they render thanks and hearty praise: bind themselves to serve and obey her with their bodies, lands, goods, friends &c. against the said unnatural subjects, to the setting forth of her authority, honour, commonweal of the realm and lieges, to their uttermost power, to their lives' end, and bind themselves to refer all bypast or future actions or grudges among them to the commandment of their said sovereign lady or the lords of her Council."<sup>1</sup>

Mary was anxious to pass to Dumbarton, the strongest fortress in the realm; but in order to reach it she must journey by Glasgow, which was guarded by the Regent. It might have been well for her had she remained in Hamilton, leaving the attack to Moray. "But the Bishop of St Andrews," Melville says, "and the House of Hamilton, and the rest of the lords there convened, finding themselves in number far beyond the other party, would needs hazard a battle, thinking thereby to overcome the Regent their great enemy, and be also masters of the queen, to command and rule all at their pleasure. Some alleged that the bishop was minded to cause the queen to marry my lord Hamilton, in case they had obtained the victory. And I

<sup>1</sup> C. S. P., ii. 650. Cf. Keith's 'History,' ii. 807.

was since informed by some who were present that the queen herself feared the same; therefore she pressed them still to convoy her to Dumbarton.”<sup>1</sup>

The armies of the two factions met at Langside. Moray's forces, though inferior in numbers, were better disciplined and better officered, and victory was theirs. The queen, watching the battle, saw the ruin of her hopes, and fled from the scene of her disaster. The road to Dumbarton was closed; and, with but a few attendants by her side, she set off in feverish haste for the South. Reaching Galloway, she was met at Dundrennan Abbey by the archbishop and others, who consulted their own safety in following their queen. The schemes of the Hamiltons had been shattered at Langside; and the prelate had his own sorrows, as two of his sons had been in the battle.<sup>2</sup>

In Galloway Mary was safe for a time; but she had not found a place of security. There was no fortress to shelter her: no army, in spite of the assurances of Lord Herries, to defend her cause. She knew only too well, as she had known at Hamilton and Langside, that if taken by her enemies she might be led not to a prison but to death. Should she pass over the seas to France? Catherine de Medici would

<sup>1</sup> ‘Memoirs,’ 181.

<sup>2</sup> C. S. P., ii. 653, 655.

offer no welcome, and Mary would rather seek mercy from the Queen of England, whom she had never seen, than help from the Dowager of France whom she would not trust. To England, then, she would go, deaf to the warnings of her friends. According to Nau's narrative, "John Hamilton, Archbishop of St Andrews and Primate of Scotland, was among the party which was with her, and did not scruple to speak of this plan as an act of madness, since she could never expect to receive from the Queen of England aught that would be for the benefit either of herself or her kingdom. He told her that close at hand were large bodies of men which were hurrying to join her by forced marches."<sup>1</sup>

On May 16, 1568, the queen, making use of a fishing boat, crossed the Solway and landed at Workington in Cumberland.<sup>2</sup> Stories have been told of how the archbishop besought her, in a speech of many historical details, not to leave her country, and wading into the water in his despair, clutched the boat to stop her fatal journey.<sup>3</sup> But nothing would change her

<sup>1</sup> Nau's 'Memoirs of Mary Queen of Scots,' 128. Cf. 'The Historie of King James the Sext' (Bannatyne Club), 28.

<sup>2</sup> C. S. P., ii. 734.

<sup>3</sup> Blackwood, 'Martyre de la Royne d'Escosse' (Jebb, ii. 232). Cf. 'Vita Mariæ Stuartæ' (Jebb, ii. 34). Mackenzie's 'Lives,' iii. 307. Crawford's 'Officers of State,' 379. Strickland's 'Life of Mary Queen of Scots,' (Bohn's Library), ii. 85. Gordon's 'Scotichronicon,' ii. 288.

purpose, and she went to imprisonment and death.

In the frustrated revolution Mary Stewart had played her part; but enmity to the Regent, rather than loyalty to the queen, had incited some or many of the men who united for her restoration. Chief among them was the archbishop; and for him the Regent had no mercy. He was ordered under pain of rebellion to appear on June 1 before the Privy Council, to answer to such things as should be laid to his charge. Hamilton, however, did not answer; and Moray, with advice of the Lords of Council, denounced him as a rebel to the king, ordering him to be put to the horn and his goods to be forfeited.<sup>1</sup> When the Estates met, he and others were condemned as traitors.<sup>2</sup> Approaches had been made to the Queen of England, in the hope that she would persuade the Regent to stay action; and Mary's partizans believed that by Elizabeth's intervention the meeting of the Parliament would be postponed.<sup>3</sup> Moray, however, was obstinate. In a communication dated from Dumbarton on August 24, and signed by Argyle, Huntly, the archbishop, and others, Elizabeth was told that on account of the proclamation of the Parliament they had taken

<sup>1</sup> R. P. C., i. 628.

<sup>2</sup> A. P. ; C. S. P., ii. 777. Appendix X.

<sup>3</sup> C. S. P., ii. 756.

arms, and then, conform to her own letter to Mary, had stayed hostilities. They complained that they had received damage by that letter;<sup>1</sup> but Elizabeth did nothing for them. It was reported, on the contrary, that she was offended with the mission of the Bishop of Dunblane to the pope, the Archbishop of Glasgow's diligence in France for men, and the tumult of the Archbishop of St Andrews.<sup>2</sup>

In consequence of the forfeiture of the archbishop's goods the lands of Paisley Abbey were given to Lord Sempill, who had fought in the Regent's army at Langside.<sup>3</sup> In a defence, at a later time, of his dealings with the abbey lands, the archbishop made definite reference to Elizabeth's action in regard to the Parliament at which he was condemned, showing how he and his friends had trusted to her promises. "It will pleis the Quenis Majestie of england," he wrote, "to call to Hir Rememberence, erst the cumyng of our soueraine the Quenis Majestie of Skotland In Hir grace realme of england to sute Hir help and mentenance, And that the earle of Murray that tyme proclamit ane pretendit parliamint in his maner, And summondit ane greit part of the

<sup>1</sup> C. S. P., ii. 781.

<sup>2</sup> Ibid., 793.

<sup>3</sup> Cf. Lees' 'Abbey of Paisley,' 201. On May 21, 1567, the queen had confirmed the Bulls of provision of Claud Hamilton to Paisley with reservation of the fruits to John Hamilton (R. P. S., xxxvi. 106).

Nobilite to the said parliamint to be forfaltit for assisting and obeying of our native quene and prince. And I ves summond amongis the rest to that parliamint, Quhair upone we wient and complenit to the Quenis Majestie of england, oure souveraine beand in Hir handis, And als we preparit oure selffis againe that parliament to have stayit it. And thair wos ane army on the feildis reddly to have fulfillit oure Interprise and stayit the parliamint onto the tyme the Quene of england writ to us, and als causit our Quene Majestie to cause us to desist and ceise fra Armes. And the Quene of england tuik on Hir that na parliament suld be haldune, or ony thing done to ony man's hurt, bot that it suld have bene ony bot ane assembleie and na parliament. Nochttheles undir Hir promes thayy procedit in thair pretendit parliament to the forfaltour of sundry, And quhen we Immediatlie eifter that we complenit, and writ to Hir that thay hed procedit nochwitstanding Hir promes, and usit on thair maner the process of forfaltour. And than sche writ to us that the said process suld tak na executioun agains ony man, or to thair hurt ony of thame na mair nor It hed nevir bene. . . . And so all the skayth that ony of us hes sustenit hes bene onder the Quene of england sic promess." <sup>1</sup>

<sup>1</sup> Lees' 'Abbey of Paisley,' xxxi.

After the forfeiture the archbishop and some of the Hamiltons found a shelter in Dumbarton Castle, where they were very quiet, living without troubling their neighbours.<sup>1</sup> If he was quiet, some of the other leaders of Mary's party were not idle; and she herself, by a commission issued on July 12, appointed the Duke of Châtelherault governor of the realm.<sup>2</sup> A meeting of the leaders was held on July 28, at Largs, where a letter subscribed by Argyle, Huntly, Cassillis, and the archbishop was addressed to Elizabeth. They asked that Mary should be allowed to go back to her own country, and that no help should be given to her enemies. They were determined, they said, to serve her Highness, and to maintain her as their princess, and, after her, her heirs.<sup>3</sup> On July 30 the leaders again assembled at Largs and despatched a communication to the Duke of Alva, complaining of Mary's detention, and asking him to persuade his master to demand permission for her to proceed to France or to Scotland. A request at the same time was made for men and arms.<sup>4</sup>

In October commissioners met at York to hear charges by Mary against her subjects and their counter-charges. Rebellion was alleged on the one hand; on the other, a violation of the laws.

<sup>1</sup> C. S. P., ii. 728.

<sup>2</sup> Labanoff, ii. 136.

<sup>3</sup> C. S. P., ii. 744.

<sup>4</sup> Ibid., 747. Cal. of State Papers (Foreign), 1566-1568, 2382.

The famous Casket Letters were brought forward to incriminate the queen. From York the commissioners passed to Westminster and to Hampton Court. At the end of their inquiry, on January 10, 1569, Sir William Cecil, in Elizabeth's name, gave a deliverance. The Regent and his allies were told that their honour and allegiance had not been impaired; and in respect of Mary it was said that there was nothing against her for which Elizabeth could conceive an evil opinion. Yet she was kept a prisoner in England.

When Moray returned to Scotland he was informed by Lord Mar and others of the troubled state of affairs. Mary was plotting to re-establish her authority: Argyle, Eglinton, and the archbishop were named as seeking to make him odious. Reports were being spread that he and Lethington were the instigators of the Darnley murder; and that, for the handing over of James and the delivery of the castles of Edinburgh and Stirling into English hands, he was to be declared legitimate and the lawful successor of the king, should his majesty die without heirs.<sup>1</sup> In this fashion the good faith of the Queen of England was being attacked, and she was constrained to make a public declaration that the story of her intrigue with the Regent was false.<sup>2</sup> Yet Mary stated to the archbishop

<sup>1</sup> C. S. P., ii. 964. Cook's 'Hist. of the Church of Scotl.,' i. 46.

<sup>2</sup> C. S. P., ii. 967.

that she had received proposals regarding the custody of her son, and she spoke of 10,000 men being sent from France or Spain to help her in Scotland. “‘Reverend fader and traist cousinge and counsalour,’” she wrote, “having received your letters by this bearer ye shall understand it has been proposed to me that my son should be delivered into the Queen of England’s hands, that Herries, Kilwinning &c. should not ‘mel’ therewith, none but Lennox and others of my name, and to get me into the snare they have been very meek in manner; but for many reasons I will not agree. Keep this secret except to any assured man. I am resolved to do nothing in prejudice of my honour or my faithful subjects. As to the succour of (France and Spain?) I hope to get of both ‘on the moneth of Marche,’ 10,000 men at least, and this I believe is the principal occasion why they seek appointment with me. I allow your proclamations ‘gretumly,’ but see that nothing shows they come of me in case of danger. Speak of her majesty’s country with respect. I would ‘or ye sinder’ that ye take as many houses from the rebels as ye can, as the Castle of Glasgow, Dunglas &c. for if matters come to appointment, bypast deeds will be put in oblivion. As to the cipher, we fear not any man has got it. Ye shall have the escheat ye crave for. For the commission ye desire us to send to Argyll, Eglinton,

Cassillis, and Boyd: we know not the form ye desire, but make it as ye think fit and send it, when we shall subscribe and date it. 'Bowtoun, Your gud cusines and asuryd frinde, Marie R.'"<sup>1</sup>

Châtelherault, his exile in France at an end, returned in February 1569 to Scotland, and openly declaring the Regent a traitor, collected forces for an attack. Finding, however, that Moray was prepared to meet him, and obtaining no help from England, he decided to make terms. The archbishop, by one account, arranged a meeting, and on March 13 the leaders of the factions assembled at Glasgow.<sup>2</sup> It was proposed that the duke should acknowledge the king: that he and his friends should be admitted to their places in the realm: that the Regent should "forget bygones," and condescend to such articles as would redound to the Queen-Mother's honour and "serve hir turne." Further, the forfeitures of her adherents should be cancelled: parties should meet on April 10; and hostages should be given for the good faith of the duke and his men.<sup>3</sup> Accordingly Châtelherault gave his brother as "a plege for him within the (said) Castell of Stiureling, becaus nane of his sonis would enter thairfoir."<sup>4</sup>

<sup>1</sup> C. S. P., ii. 956.

<sup>2</sup> 'The Historie of King James the Sext,' 36.

<sup>3</sup> C. S. P., ii. 1019. Diurn. of Occurr., 140.

<sup>4</sup> Diurn. of Occurr., 142. Crawford of Drumsoy's 'Memoirs,' 110.

The Convention met on April 10, and at the opening the Regent required the duke to acknowledge in writing the king's authority. Châtelherault protested that the demand was premature and unjust, as they had assembled for the purpose of determining what should be done for the queen, and as the Hamiltons, including the archbishop, had tendered obedience.<sup>1</sup> If just arrangements were made he and his party would give obedience, and he pointed to the fact that hostages were in the Regent's hands. No answer was made, and at Moray's order the duke and Lord Herries were seized and conveyed to the Castle of Edinburgh.<sup>2</sup> Argyle and Huntly threatened danger; but the Regent's authority was established.<sup>3</sup> Representatives of the Estates assembled on July 28 at Perth.<sup>4</sup> A commission, granted by Mary to Lord Boyd to institute in her name an action of divorce from Bothwell, was discussed. There were proposals at the time that she should marry the Duke of Norfolk, and it was evident that if she returned to Scotland the regency of Moray would be at an end. The commission, according to a report to Cecil, was displeasing to the nobles, as in it Mary "wrote

<sup>1</sup> Cf. Tytler's 'History,' iii. ix.

<sup>2</sup> 'The Historie of King James the Sext,' 39, 40. C. S. P., ii. 1090.

<sup>3</sup> 'The Historie of King James the Sext,' 42.

<sup>4</sup> C. S. P., ii. 1110.

herself queen, with all her styles, and also wrote to the bishop of St Andrews, 'hed of the chyrche'—whereon fell great argument." While Lethington maintained that the divorce might be without prejudice to king or Church, the Clerk-Register, after showing that Mary had written to the archbishop, who was not joined to the Church they professed but remained an obstinate papist, argued that by calling herself queen and communicating with the prelate she was impugning the king's authority. Finally the commission was condemned.<sup>1</sup>

By the terms of the commission the action for divorce was to be instituted before John, Archbishop of St Andrews, or any other competent judge. Mary spoke of her marriage as being unlawful, according to the judgment of some of her nobles.<sup>2</sup> While the Commissary Court would not have been recognised by the Regent, its proceedings, had it been instituted, would have revealed the archbishop's sinister dealings in granting the divorce of Bothwell from Lady Jean Gordon.

Moray, with a firm determination to establish his authority, resolved to lay hands on Lethington; and at a convention at Edinburgh he

<sup>1</sup> C. S. P., ii. 1115. Cf. Principal Robertson's 'History,' ii., Appendix XXXIII.

<sup>2</sup> Abbotsford Club Misc., i. 23.

charged him with complicity in the Darnley murder. Lethington was arrested and taken to a private house; but Grange contrived to get him to the castle, where he joined the archbishop, Herries, and other leaders of the Marian faction.<sup>1</sup> As many influential men in the south belonged to the faction, the Regent had reason to fear that they would take part in a rebellion which was being fomented in the north of England. The lieges were summoned to meet at Perth on December 20; but before that date the danger had passed. Moray, however, in pursuit of his purpose to make himself master of the realm, proceeded to the west, and laid siege to the castle of Dumbarton. A stubborn resistance was offered; and when his presence was required in the capital, he organised a force for the continuance of the attack, and retraced his steps. As he was making for Edinburgh he halted at Linlithgow, where on January 23, 1570, he was assassinated by James Hamilton of Bothwellhaugh.

This man, if the story be true, sought revenge. He had been made a prisoner at Langside, and though granted a pardon had lost his lands through forfeiture. His wife, turned out of her own house, had wandered poorly clad in a

<sup>1</sup> Cf. Tytler's 'History,' iii. ix. For measures taken to arrest the archbishop's profits, cf. T. A., Nov. 9 and 28.

wood through a cold night. When found she was demented. Bellenden, the Justice - Clerk, who had obtained the forfeited lands from Moray, was responsible for the cruel deed, and yet it was against the Regent that the husband's passionate anger was roused. Bothwellhaugh, who was the archbishop's nephew, resolved on murder, and his purpose suited the Hamiltons. He followed the Regent, failed to strike him at Glasgow and Stirling, and went after him to Linlithgow. He concealed himself in the archbishop's house in the High Street and made his preparations. Moray was warned, but heedless of danger rode in front of the house, where, hidden from view, his enemy shot him as he passed. Thus died the Regent Moray. The murderer escaped through a garden, and, mounting a horse which was in readiness, reached Hamilton, where he was welcomed by his friends.<sup>1</sup>

The killing of the Regent was accounted more than an act of private revenge. Bothwellhaugh was a Hamilton; and men said that the plot was the device of the Hamiltons, of whom for

<sup>1</sup> "Information respecting the murder of the Regent" (C. S. P., iii. 120). The 'Historie of King James the Sext,' 45-47. Buchanan's 'History,' xix. 52. Calderwood's 'History,' ii. 511. Lindsay of Pitcottie's 'Chronicles,' ii. 222. Spottiswoode's 'History.' Cf. Hay Fleming's 'The Reformation in Scotland,' Appendix Q. According to the Bannatyne 'Memorials' (Bannatyne Club), 4, Bothwellhaugh was met three miles beyond Linlithgow by the archbishop's servants. In the Diurnal of Occurrents, 156, it is stated that the archbishop's house was afterwards burnt down. Appendix XI.

the time the archbishop was the leader. In the "Information respecting the murder of the Regent," furnished to the Lords of the Convention, the prelate is named. "For, as to the effect of the present action," it is said, "not only is the Regent, 'representing' the king's person and office, murdered by him that is 'haishauld man' and sister's son to John, sometime bishop of St Andrews, upon a determined council, conspiracy, foreknowledge, and consent of the said bishop and the remnent of that name forth of the bishop's own house, but as the 'executor' after the deed was met and 'reskawit' by his brother, sometime priest of Boithvile, and other household men and servants to the Duke, the bishop and their 'bairins' purposely set in divers rooms near Linlithgow for that effect, and safely avoid first to the Laird of 'Lawchoppis' house who 'reid' with him to the bishop. . . . In conclusion it is desired that force be used against the said John, bishop of St Andrews, and others of his name, who have 'accumpaneit' the executors of this murder, or taken arms since that deed." Hudson wrote to Queen Elizabeth that the archbishop was known to be the procurer of the murder.<sup>1</sup> Supplication was made to the Secret Council by Douglas

<sup>1</sup> C. S. P., iii. 120. Cal. of State Papers (Foreign), 1569-1571, 655. Bothwellhaugh fled to France, and on January 2, 1572, he wrote to Lord Claud Hamilton that after the death of the archbishop he had not had a shilling from any one. (Ibid., 1572-1574, 4.)

of Lochleven that haste should be used to punish the devisers and "assistarris" of the murder. He represented that James Hamilton of Bothwellhaugh, by the conspiring of the duke, the archbishop, and others, had entered the prelate's house in Linlithgow and "theftleouslie and meest tressonable shot wyt ane lang haqbuis" the Lord Regent.<sup>1</sup> Whatever may have been the measure of the archbishop's guilt, many believed that he was a participator in the plot.<sup>2</sup>

Immediately after the murder the Hamiltons took up arms, and numbers of the people favoured the return of Mary. Fernihirst and Buccleuch were incited to make incursions into England, while assurance was given by the archbishop and others that if an English army was sent to Scotland the aid of France would be sought.<sup>3</sup>

The king's party, however, was too strong to be overthrown, though at a convention in March no appointment to the regency was made. The archbishop of course did not attend, as he was under forfeiture, and his life was in danger. He had been in Linlithgow on March 3 with other leaders of his faction, but had left when there was a tumult over the death of a soldier.<sup>4</sup> In

<sup>1</sup> C. S. P., iii. 151.

<sup>2</sup> Cf. "The Regentis Tragedie" (Sempill Ballates).

<sup>3</sup> Cal. of State Papers (Foreign), 1569-1571, 677. Calderwood's 'History,' ii. 546.

<sup>4</sup> Buchanan's 'History,' xx. 7. Calderwood's 'History,' ii. 544. Herries' 'Memoirs,' 123. Bannatyne 'Memorials,' 18.

May these men, proclaiming Mary as queen, summoned the lieges to defend her cause. Immediately the Secret Council in the king's name issued a proclamation, and in an address to the realm asked: "Shall the known persecutors of God's truth, and namely that godless and bloody man sometime Archbishop of St Andrews, now bearing greatest sway in all their traitorous attempts, and the very fountains from which all their murders and mischiefs have flowed, be the instruments of the promotion of God's glory and the true religion? Shall not the pope's silver sustain the charge, and shall not the soldiers be papists in religion?"<sup>1</sup>

Elizabeth, seeing the danger to England if Mary was once more the ruler of Scotland, had sent a force under the Earl of Sussex to stay the raid of Fernihirst and Buccleuch. Another force under Sir William Drury, who had with him the Earl of Lennox, entered Edinburgh; and after consultation with the chiefs of the king's party marched to the west and destroyed the town and Palace of Hamilton. The archbishop and Lord Fleming, for their own safety, as for the security of the castle, fled to Dumbarton.<sup>2</sup>

<sup>1</sup> C. S. P., iii. 221.

<sup>2</sup> Ibid., 264, 270. Diurn. of Occurr., 168 ff. Calderwood's 'History,' ii. 555 ff. Crawford ('Officers of State,' 380) says that the archbishop was a year at Dumbarton before the castle was taken: Lord Fleming had been charged to surrender it on Nov. 9, 1569 (T. A.).

Drury, after fruitless negotiations with Grange and Lethington, intimated to the archbishop and Fleming at Dumbarton that he desired a conference. They agreed to his request; and when he proceeded to the appointed place and there was no one to meet him, he went on towards Dumbarton. A servant was sent to announce his arrival, who returned with the message that if Drury approached with one or two attendants he would be met. Drawing near to the castle, he learned that treachery was intended, and as he turned his horse divers "harquebuziers" shot at him and a falcon was loosed.<sup>1</sup>

The archbishop and Fleming, after their insults to the English commander, busied themselves with preparations for a demonstration on August 7 at Linlithgow.<sup>2</sup> The demonstration, however, did not take place, as Lennox, who had been made Regent, began to attack the strongholds of the Marian party. Yet some of the leaders, including Huntly, Argyle, Atholl, the archbishop, and Lethington, assembled on September 1 at Dunkeld. Their policy was to secure the return of Mary, and they resolved to appeal to Elizabeth, suggesting to her that the government might be shared by Mary and the young king. Lething-

<sup>1</sup> C. S. P., iii. 274, 300. Cf. Sempill Ballates.

<sup>2</sup> C. S. P., iii. 366. On Aug. 12 the rents of Paisley and Kirkliston were arrested, and on Sept. 14 the teinds of Stow (T. A.). Cf. also R. P. S., xxxix. 36.

ton exhorted the leaders to be constant, and promised the assistance of strangers, but the appeal to Elizabeth was fruitless, and strangers rendered no aid.<sup>1</sup>

There was a rumour that the archbishop, when he left Dunkeld, would no longer find a refuge in Dumbarton; but while there may have been a dissension between him and Fleming he certainly did return to the castle.<sup>2</sup> The Marian lords had not roused the country, and though after Langside they had suffered no defeat on a field of battle, they were powerless to overturn the government. Negotiations at last resulted in a peace, but it did not endure. The duke and the Abbot of Kilwinning were put to the horn, and one and another of the Hamiltons suffered.<sup>3</sup> After protests that the peace had been wantonly broken, Lord Claud Hamilton, with the son of the archbishop and others, entered the Abbey of Paisley on January 17, 1571, and planted a garrison. Lord Sempill, it was said, had agreed to the attack.<sup>4</sup> In a letter of instructions to an ambassador, the Regent showed how Sempill, who was made a prisoner, had been in possession

<sup>1</sup> C. S. P., iii. 438, 447, 452. Calderwood's 'History,' iii. 11.

<sup>2</sup> C. S. P., iii. 464.

<sup>3</sup> Ibid., 572, 574, 594. On Sept. 8 the duke was charged to compare before the Council on the 19th, and on the 28th was denounced rebel: the archbishop's son John was summoned for treason on Nov. 19 (T. A.).

<sup>4</sup> Ibid., 608.

of the abbey "sen the dispositioun maid to him thairof, efter the foirfaltour orderlie led, alsweill aganis the said bischope of Sanctandrois, usufructuar and lyfrentar of that benifice, as aganis the said Claud Hammiltoun, nominat successour to the same." "Sensyn,"<sup>1</sup> he went on to say, "the said bischope, in persoun, hes cum to the said abbay, and thair fensit and haldin courtis in name of the quene, the kingis moder, minassing the tenentis that he will be payit of thre yeris rentis bigane; and hes alredie begune and spoiled and rest diverse horssis and guidis furth of the grund of my awin proper landis of Dernlie and Cancklystoun."

The Hamiltons contended that the archbishop always had a part of the profits of the abbey, and that it was not a violation of the truce to continue the courts which by custom had been held in the queen's name.<sup>2</sup> In his own defence he wrote that he was never out of possession of his living. As for his place of Paisley, he said, "it was standing waste, and no man in it,—but only a boy who had the key of the gate. His servants did no violence, but entered into his own place without trouble to any man. Lord Sempill, who before had usurped that place, was content, for it did him no profit; therefore it can be no violation of the abstinence. Whereas it is

<sup>1</sup> Bannatyne 'Memorials,' 359.

<sup>2</sup> C. S. P., iii. 624.

said that he was in Paisley, and held courts in his sovereign's name, that is false, for he was not there these three years and more."<sup>1</sup>

When the Hamiltons were in possession of the abbey, the Regent was determined to secure Dumbarton Castle, which for long had been held by the Marian lords. The enterprise was entrusted to Crawford of Jordanhill, who had been the friend of Darnley. With the help of ladder and rope the ascent of the great rock was made, and on the morning of April 2 the castle was taken. One of the Ramsays was the first to enter, and as others followed they shouted "God and the King! A Darnley, a Darnley!" The governor escaped, but among the prisoners was the Archbishop of St Andrews. It is related that when captured he wore a shirt of mail and a steel bonnet, and it seemed that a soldier and not a prelate had been seized.<sup>2</sup>

Hearing that the castle was taken, the Regent hastened from Glasgow to Dumbarton, and on April 4 the archbishop was removed to Stirling.<sup>3</sup>

<sup>1</sup> C. S. P., iii. 681, 712. 'The Abbey of Paisley,' Appendix XXXI. Pitscottie's 'Chronicles,' ii. 205.

<sup>2</sup> Calderwood's 'History,' iii. 55. Bannatyne 'Memorials,' 104. 'The Historie of King James the Sext,' 70. The archbishop was in the castle on April 1 (C. S. P., iii. 680). Cf. "The Tressoun of Dunbartane" (Sempill Ballates).

<sup>3</sup> Diurn. of Occurr., 203. Pitscottie says that "the bischop of Sanctandros was led backward upone ane sled through the toune of Stirling as ane traitour" ('Chronicles,' ii. 249).

Buchanan reports that Lennox resolved that there should be no delay in putting the prisoner to death, as Elizabeth might intervene. Hamilton demanded a formal trial.<sup>1</sup> His friends tried to lay hold of some one whose life might be a security for his, but they succeeded only in seizing a boy carrying Lord Mar's clothes and some Edinburgh men travelling in the Stirling district.<sup>2</sup> No time was lost in bringing the prelate to a trial, such as it was; and it soon became evident that "my lord Sanctandrous," as the Bishop of Ross was told, would be "execuite."<sup>3</sup>

The accusations preferred against him were that he conspired against the king's person, at the murder of the first regent, intending to surprise the castle of Edinburgh and to be master thereof at his pleasure; that he knew or was participant of the murder of the late King Henry; that he knew or was participant of the murder of James, Earl of Moray, late Regent; and that he lay in wait at the wood of Callander for the slaughter of Matthew, Earl of Lennox, now Regent. The first, second, and fourth charges were denied, and regarding the third, he admitted, according to the author of 'The

<sup>1</sup> Buchanan's 'History,' xx. 34.

<sup>2</sup> Bannatyne 'Memorials,' 109. Calderwood's 'History,' iii. 58.

<sup>3</sup> C. S. P., iii. 695.

Historie of King James the Sext,' that he furthered the doing thereof.<sup>1</sup> Buchanan tells the story, as already repeated, of the confession of one of the Hamiltons regarding the archbishop's participation in the king's murder, and the historian adds that the prelate had been already condemned by the Parliament.<sup>2</sup> The writer of the 'Diurnal of Occurrents,' after narrating that the archbishop was accused of "four heads" by Lord Ruthven, the Lord Justice-Clerk, and Mr George Buchanan, states explicitly that the prelate confessed that he had furthered the plot for the murder of Moray; and the same writer, having dwelt on the prelate's religion, describes the circumstance of the execution. "As to the lord regentis (murder)," he says, "albeit he denyit the same in the begining, yit upoun the skaffald . . . he confessit that he knew not onlie the regentis murthour and stopit it nocht (as he mycht haue done gif he haid pleased), bot also that he furtherit the committing of the same, off the quhilk he repentit and askit God mercie. And being farder accusit, gif any of his surname or freindis wes upoun the counsall thairof, he ansuerit that he wald accuse na man at that tyme bot himself. As tuitching his religioun, I reassonit with him, and culd find

<sup>1</sup> 'Historie,' 71.

<sup>2</sup> 'History,' xx. 34. Diurn. of Occurr., 204.

nathing bot that he wes ane papyst, and exhortit sik as wer neir hand upoun the scaffold to abyd at the Catholick faith, sua he termit the papistrie. And in the castell he desyrit some papist preist to quhom he mycht confes him, and of quhome he mycht ressaue consulation of his synnis, according to the ordour of the Kirk, (as he spak); and sua he continowit to the death in his papistrie as he levit. As the bell struik at 6 houris at evin, he wes hangit at the mercat croce of Striueling upoun the jebat, on the quhilk wes writtin this twa verses following—

Cresce diu felix arbor, semperque vireto  
Frondebis, ut nobis talia poma feras.”<sup>1</sup>

The author of ‘The Historie of King James the Sext’ narrates that when the Latin verse was fixed to the gibbet, some one placed on the church door these lines—

“Infelix pereas arbor, si forte virebis  
Imprimis utinam carminis author eas.”<sup>2</sup>

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<sup>1</sup> Diurn. of Occurr., 204. Bannatyne ‘Memorials,’ 104, gives as the second line, “O utinam semper talia poma feras.” Froude (‘Hist. of Engl.,’ chap. 55) accepts this version. In Scotstarvit’s ‘Staggering State,’ *vive* is given for *cresce*. Cf. “The Bischoppis lyfe and testament” (Sempill Ballates).

<sup>2</sup> ‘Historie,’ 72. Crawford (‘Memoirs,’ 176, note) says the author of the lines “had the honour soon after to be hanged, together with his son-in-law, upon the same tree.” Mackenzie (‘Lives,’ iii. 105) gives a variation of the lines, and repeats the epitaph on the writer.

Herries, who maintains that no proof was forthcoming that the archbishop had any share in the slaughter of Moray, and that the evidence for his participation in the Darnley murder depended entirely on the priest's story, tells how, without sentence or jury but that which passed long before in Parliament, by which he was declared traitor and "forfaulted," Hamilton was hanged at Stirling on April 7, 1571, and his body quartered.<sup>1</sup> By Calderwood's representation there needed not a long process, for it was notoriously known that the prelate was guilty of the murder of the king and of the Regent;<sup>2</sup> while in the papers of the Laird of Lochleven it is stated that Hamilton confessed that he had knowledge of the Regent's murder, and that he might have stayed the same.<sup>3</sup> Two years after the execution Henry Killigrew wrote to Burleigh, with a strange confusion of ideas, that "the first regent had the contriver of his death, the bishop of St Andrews, hanged, and the doers be yet excepted."<sup>4</sup>

There is no definite information regarding the burial-place of the archbishop.<sup>5</sup> The body may

<sup>1</sup> 'Memoirs,' 133. Appendix XII.

<sup>2</sup> Calderwood's 'History,' iii. 58. Cf. Tytler's 'History,' iii. x.

<sup>3</sup> Cf. M'Crie's 'Knox,' ii. 168, note.

<sup>4</sup> C. S. P., iv. 584.

<sup>5</sup> Buchanan uses the phrase "*suspensio Sterlini vitam finivit*," and Goodall ('Letters of Queen Mary,' i. 344) charges him with representing the archbishop as having hanged himself.

have been taken to the Abbey of Paisley, as there is in the church a tablet with the coat of arms, the initials J. H., and the motto assumed by the prelate, "*Misericordia et Pax.*"<sup>1</sup> The report of the death quickly passed to England. Writing from the Marshalsea on April 16, William Herlle told Burleigh that the Earl of Lennox had hanged the Bishop of St Andrews, "the wisest man of all Scotland."<sup>2</sup> Mary of course heard of the prelate's tragic fate; and Shrewsbury doubted much, he said, "lest she fall into sickness by reason of the news that 'Tommie' Carr brought her from Scotland of the Bishop of St Andrews' death, and that things do not go so well there as she looked for."<sup>3</sup> Elizabeth sent her congratulations to Lennox on his success in taking Dumbarton, and advised him to make sure of keeping it.<sup>4</sup> The Bishop of Ross had asked her to intervene to save the archbishop's life, but she refused, on the ground that he "well deserved the death," and that "surely he was executed."<sup>5</sup>

The punishment of the archbishop was continued after his death. "Forfeiture" was pronounced against him and certain others, at a Parliament held in a private house in the Canon-

<sup>1</sup> 'The Abbey of Paisley,' 205.

<sup>3</sup> *Ibid.*, 715.

<sup>6</sup> Anderson's 'Collections,' iii. 144.

<sup>2</sup> C. S. P., iii. 699.

<sup>4</sup> *Ibid.*, 713.

gate;<sup>1</sup> but mercy was displayed when, in accordance with a pacification settled in 1572, the heirs of forfeited persons, among whom were named those of "umquhile John, Archbishop of St Andrews," were entitled to enter their lands and possessions.<sup>2</sup>

The Regent Lennox had sent the Archbishop of St Andrews to death, and he, too, was not to be spared. On August 28, 1571, a convention was held at Stirling, and with the Regent were the Earls of Argyle, Cassillis, Eglinton, Angus, and Lord Boyd, whose presence pointed to the triumph of his cause. But his enemies were not yet exterminated, and on September a company of horse and foot, under the leadership of Huntly, with whom was Claud Hamilton, left Edinburgh, and in the early morning of the following day were at Stirling. In short time Lennox, Morton, and others were in their hands, but the Earl of Mar, with a band of trained men, made a descent from the castle, and the victors were overcome. Before the rescue was complete, the Regent received a wound from which he did not recover. It is told that when his enemies entered the

<sup>1</sup> Herries, 'Memoirs,' 136. Hamilton's name is not given in another account of this Parliament ('The Historie of King James the Sext,' 76).

<sup>2</sup> 'The Historie of King James the Sext,' 138. Cf. R. M. S., iv. 2074, for a gift to Lord Sempill of lands which had belonged to Hamilton. Appendix XIII.

town they cried "God and the queen," while some shouted "A Hamilton! Remember the Bishop of St Andrews! all is ours!"<sup>1</sup>

The last primate of the ancient church in Scotland was executed as a criminal. No official record of the trial remains, and the justice or injustice of the sentence cannot be determined. Specific charges were made, but an enemy was his accuser and his judge. The Regent Lennox had in the death of his son a private wrong to redress, and the fate of the prelate afforded him a partial satisfaction. Though the archbishop was not an actual participator in the crime, his association with the Queen had roused suspicion, and she had married the instigator of the Darnley murder. It was a Hamilton who shot the Regent Moray, a rival of Châtelherault, and the archbishop and his friends had received the assassin. John Hamilton was an intriguer in days when politicians did not all despise the uses of murder, and his death was an event in the contests of families, the strifes of factions, and the jealousies of party leaders. None the less the event was an incident of malice, the

<sup>1</sup> Calderwood, iii. 139. Diurn. of Occurr., 247. In an account of the State of Scotland by Count Stefano Angarani (Cal. of Venetian Papers, 1558-1580, 829) the death of Lennox is associated with his cruelty to the archbishop. Crawford ('Memoirs,' 207 note) says the cry of assailants was "God and the Queen. Think on the Archbishop of St Andrews."

work of judges not raised above partiality, the contrivance of men not seeking only the ends of justice.

The tradition of his archiepiscopal office permitted Hamilton to take a part in the affairs of the nation, and his was an age of unsettled government. Throughout the regency of his brother he was the chief minister, though in his political activities, after the fall of Châtelherault, he was at most the leader of the Hamiltons. Mary Stewart, who did not forgive her mother's enemies, could not altogether forget that in her last days Mary of Lorraine had trusted the archbishop. Though the Queen never held him high in her favour, he was not to her as an adversary. The thought of a restored Catholic Church in her realm was dear to her. Strengthened by papal admonitions, she inclined to labour for her faith, and counted on the prelate as an agent in her schemes. The archbishop had place and power to gain by the restoration of the Church. In attachment to the institution with its episcopal government and its great possessions he never wavered, but he did not shrink from a reform or change of the creed. He had been an avowed reformer when the Beatons were more powerful than the Hamiltons. By fascination or bribery the cardinal led him back to the Church, and showed him the open road to promotion. The bishopric of Dunkeld

was a stage on the way to the archbishopric of St Andrews and the primacy. In his high ecclesiastical office he displayed no fierce hatred of the opponents of the Church, and even was blamed for clemency. His catechism revealed a reasonable spirit, and was not an apology for the Roman faith. For that faith, in the year of the Reformation, he offered no defence, and made no plea for the institution of which he was the guardian. By the Acts of the Estates his authority was destroyed, and he dared not openly appear as the shepherd of his flock. After the revolution his efforts as a churchman were mean. His hope of a restoration was in the machinations of the Queen; but the hope was weak, and he appeared as one who knew that the Church was in ruins, and that the triumph of her destroyers was just. Dearer to him than the cause of the Church was the fortune of the house of Hamilton. For that house he plotted and laboured till the last days of his life; but his actions came to nought. Châtelherault was not recalled to the regency, and Arran, from mental incapacity, could not aid the advancement of his family. The Hamiltons were not raised to authority; the Catholic Church was not restored. The ignominious death of John Hamilton marked with tragic significance the failure of his policies.

## APPENDIX.

## I.

I WAS (said he) ane Lord leuand on lyfe,  
 Ane bastard barne that can I not deny  
 My Father was ane Erle and had ane wyfe  
 Thocht he abusit his body and lay by.  
 In Goddis Ire begottin sa was I  
 My mother was a Dame in Dundaf mure <sup>1</sup>  
 Bot quhiddel it was in feild keipand the ky  
 Or fischand Lochis Lin I am not sure.

As for my surname seik my mothers aith  
 Quhyllis Cuninghame yai callit me heir & yair  
 Bot gude John Cowane gaif me meit and claith  
 Quhill I was seuin yeir auld and sū thing mair  
 The Prouest of Hammiltoun cūmand by for cair  
 Fand me with ky ane kyndlie occupatioun,  
 And Hammiltoun he me huif I sow declair  
 Ane sorie surname for my awin saluatioun.

THE SEMPILL BALLATES.

## II.

Nau, in his 'Memorials of the Reign of Mary Stewart,' says  
 —"Jehan Hammilton, frère du Régent, en revenant de France,

<sup>1</sup> This statement does not agree with Crawford's. Dundaf Mure is in St Ninians Parish, Stirlingshire.

où il avait longuement estudié, visita le Roy d'Angleterre; qui le receust et plusieurs hommes doctes de sa compagnie, fort courtoisement. Soudain qu'il fust arrivé en Escosse, il eust l'estat de Trésorier lequel il tint avec fort grande reputation tout le temps de la régence de son frère, l'assistant de son conseil au gouvernement de tout affaires."<sup>1</sup>

### III.

In R. P. S. (xxiv. 100) and R. M. S. (under the date Oct. 9, 1551) there is the record of the legitimation of John Hammiltoun, junior, bastard, natural son of Grisill Symple, daughter of Robert, Master of Simple, and William Hammiltoun, his brother, also bastard; and these may be the John and William legitimated in 1547 and 1548 (Hay Fleming's 'The Reformation in Scotland,' 555, 557). David Hamilton was legitimated in 1548 (R. P. S., xlv. 108). The ward and non-entries of Dychmont were granted, February 13, 1551, to John Hamilton, and failing him to William, his brother-german (R. P. S., xxiv. 53). In a charter of June 11, 1572, there is a reference to John Hamilton, son of John, formerly Archbishop of St Andrews (R. M. S., iv. 2074). Margaret, a daughter (R. M. S., vi. 1133, 1280) received in 1587 a gift of her father's escheat (R. P. S., lv. 117). There were also the daughters Helen and Jeillis (Hay Fleming's 'Reformation,' 52 n.). Martine ('Reliquiæ,' 244) speaks of three sons.

Grissell Sempill was the wife of James Hamilton of Stanehouse; but she must have been divorced, as on February 21, 1546, his wife was Mariot Touris (R. M. S., iii. 3214). Martine ('Reliquiæ,' 244) has described her personal appearance. On November 26, 1561, she was still designated Lady Stanehouse, as on that day the magistrates of Edinburgh ordered "Grissell Simpill Lady Stanehous, adulterer, to remoif hir self furth of this toun, . . . vnder the panyis contentit in the proclamatioun set furth aganis adulteraris" ('Extracts from the

<sup>1</sup> Stevenson's 'Memoirs of Mary Queen of Scots,' 310.

Records of the Burgh of Edinburgh, 1557-1571,' p. 129). At Linlithgow, May 3, 1554, the archbishop gave the factorship of Colluthy to Carnegy of Kinnaird, who was to give, in addition to a sum to the prelate, an annual payment to Lady Stanehouse and two of her sons (Fraser's 'Carnegy,' 36, 37). A similar payment, arranged in 1556, was made to her by Wardlaw of Torrie in respect of a letter of regress to certain lands, granted by the archbishop (Martine's 'Reliquiæ,' 245). Lesley narrates that in 1553 "the Lord Sympill slew the Lord Creychtoun of Sanchar," and would have been executed but for the Bishop of St Andrews and other friends ('Hist. of Scot.,' 248. Cf. Pitcottie, ii. 111; Pitcairn, 'Criminal Trials,' i. i. 354; Buchanan, xv. 65). On October 12, 1559, Randolph wrote "the Lord Semples daughter, whom he (the archbishop) hath loved so long, sueth to marie him"; and in 1560 he reported, "We think to see next Sunday the Lady Stanehouse, by whom the Bishop of St Andrews has had without shame 5 or 6 children, openly repent herself." In the following year Randolph referred to the archbishop saying, "besides his old concubine, taken from her married husband then, he hath this year had ('his dyvle I trowe was father to thone or bothe') a couple of children (C. S. P., i. 826, 1066). Knox (i. 124, 125) records that Hamilton "tooke also possession of his Eme's wyiff, the Lady Stennoss," and adds, "how many wyiffis and virgines he hes had sen that tyme in commoun, the world knowis." In the Johnston MS. (Pitcairn, i. i. 340) there is the statement: "Amangis many utheris his harlotis, he interteayned this harlot Semple, nather bewtiful, of gude fame, or utherwayis in any sort notable."

#### IV.

Carnegy had gone to France to convey thanks to the king for the support given to Scotland (Lesley's 'History'). Ross was the Scottish ambassador to France (*ibid.*; T. A., ix. 443). The Abbot of Kilwinning, according to a report to Somerset, so

influenced Arran in 1548 that he repented of his covenant with France (C. S. P., i. 336). At Rouen, on Oct. 8, 1550, the Master of Arran appointed the Archbishop of St Andrews and others his procurators to administer his lands ('Acts and Decrees,' vii. 195). On Oct. 28 the Archbishop wrote to the dowager that reports of Arran's movements had been sent to her through the Abbots of Dunfermline and Kilwinning (C. M. G.). D'Oysel, writing from Edinburgh on Nov. 11, told her that the Governor was annoyed with Dunfermline for sending no despatches since her arrival in France (*ibid.*).

## V.

The Archbishop was at the Lanark Court from Nov. 19 to Dec. 18 (T. A., ix. 462), and at Edinburgh on Dec. 28 and 29 (R. P. C., i. 111). At Edinburgh, on Dec. 31, he entered into an obligation with Scott of Branxholme (Fraser's 'Buccleuch,' ii. 201), and on Feb. 3, 1551, witnessed a charter ('Antiq. Aberd. and Banff,' iii. 36). He was at the meeting of the Privy Council on Feb. 9 (R. P. C., i. 114), and on Feb. 12 witnessed documents (R. M. S., iv. 571, 578; Register House Charters, 1505). On May 9 he acted as a Lord of Council (Register House Charters, 1516).

## VI.

A document dated June 17, 1571, gives a list of those who attended a Parliament on June 13, and among these names "Gawan Hamilton, Archbishop of St Andrews, who now is slain—before Abbot of Kilwinning—allowed by the Pope seventeen years bypast to succeed the bishop that last was."<sup>1</sup>

## VII.

On March 5, 1561, the archbishop was the first auditor of the Treasurer's Accounts (T. A., xi.). As holder of the lands of

<sup>1</sup> C. S. P., iii. 798. Cf. *ibid.* iv. for mention of archbishop.

the see he appointed (April 4, 1562) Patrick Learmonth of Dairsie to the offices of steward, bailie, and justiciary of the regality of St Andrews (Martine's 'Reliquiæ,' 78). A royal confirmation was granted on March 11, 1569 (R. M. S., iv. 1836). The same person had been chosen (Dec. 16, 1556) great customer of the city of St Andrews ('Reliquiæ,' 85). Martine shows that Hamilton, as Lord Treasurer, was a witness to the confirmation, June 12, 1553, of "the Golden Charter of the See of St Andrews" (ibid., 102). He makes mention of the tack of the teinds of Little Preston granted (June 10, 1558) to Lord Borthwick (ibid., 145). Gordon ('Scotichronicon,' ii. 286) notes a charter of 1555, and also a precept to Forbes of Pitsligo, having the Archbishop's seal bearing on the one side the arms of the see, and on the other those of his family, "with no mark of bastardy."

## VIII.

The return made by Hamilton (Jan. 6, 1562) showed a money total of £2904, of which £824 was spirituality (including £494 for procurations and synodals). A pension to the coadjutor (£400) and other pensions, with fees of officers, and the contribution to the College of Justice, absorbed £862. The free balance was thus £2042. Of victual there were over 30 ch. wheat, 41 ch. bear, 67 ch. oats (6 ch. assigned in allowances to officers), with small quantities of meal and pease. The third was taken on the whole revenue without deduction. On Feb. 3, 1567, the queen directed a deduction of the third of procurations, as they were not paid, and of the third of the contribution to the College of Justice (Book of Assumptions, Advoc. Lib. and Reg. Ho.). From the account of the sub-collector (1564, Reg. Ho.) we learn that Grissel Sempill was tackswoman of Cragfudy and Middlefudy. In the Register of Deeds (vi. 336) there is an obligation (July 16, 1553) relating to teinds of Monymele.

## IX.

Note (by Dr Maitland Anderson, the University Library, St Andrews) on the Dispensation by John Hamilton, Archbishop of St Andrews and papal legate, for the marriage of James, Earl of Bothwell, and Lady Jane Gordon, afterwards Countess of Sutherland.

Attention was first drawn to this document in 1871, by Dr John Stuart, in a report on the records and muniments at Dunrobin Castle, printed in the appendix to the Second Report of the Royal Commission on Historical Manuscripts. Although Dr Stuart commented upon the historical significance of the dispensation, he did not, at that time, claim to have seen the document itself. His description of it appears to have been taken from the "inventory," or from one of the "separate lists," which he used in framing his report ; and he was thus misled as to its date.

Sir William Fraser inserted a facsimile of the dispensation in the preface to his book on 'The Lennox,' written in April 1874. The original document had been transmitted to him while the preface was passing through the press. He does not say by whom, nor for what reason. He accompanied the facsimile with a transcript and a translation, together with some observations, in which he gave Dr Stuart the credit of being the first to make the existence of the manuscript generally known.

In December of the same year Dr Stuart himself published another facsimile of the dispensation, in a book based upon it entitled 'A Lost Chapter in the History of Mary Queen of Scots Recovered.' Then, in 1892, Sir William Fraser reproduced his facsimile of 1874 in 'The Sutherland Book.'

Although Sir William Fraser's two facsimiles are lithographed in different styles, they are precisely alike as regards the script. But when his facsimile is compared with Dr Stuart's it is at once apparent that they cannot both be exact reproductions of the same original. Probably neither of them is a photo-

graphic facsimile. The variations are minute, and do not in any way alter the text.

Neither Dr Stuart nor Sir William Fraser seems to have had the slightest doubt as to the authenticity of the document they were dealing with, nor did either of them detect any flaw in its composition. And yet in 1889—three years before ‘The Sutherland Book’ appeared—it had been described as “a ridiculous forgery.” This was done by Dr Alexander Walker of Aberdeen, in his ‘Mary Queen of Scots: a Narrative and a Defence, by an Elder of the Church of Scotland.’ His main reason for so characterising the document is that it is dated in the *seventh* year of the pontificate of Pius IV., whose reign fell short of *six* years by twenty-eight days. Other arguments provided by the document against its own authenticity he left unnoticed from want of space.

In ordinary circumstances the dating of a document in the reign of a pope who had been dead for some time would not invalidate it in the least. Such documents are to be found in every collection of pre-Reformation charters in Scotland. When information travelled so slowly as it did in the fifteenth and sixteenth centuries, it was inevitable that documents should be dated in the pontificates of popes who had ceased to exist. While numerous examples of this could be given, it will be enough to mention only one. In an instrument of sasine preserved in the University Library, and dated at St Andrews, April 23, 1555, Julius III. is named as the reigning pope, whereas he died on March 5, seven weeks before the date of the document. In the case of the dispensation the pope had been dead for the exceptionally long period of ten weeks. It is extremely difficult to account for this apparent want of information in the chancery of the papal legate, more especially as the election of a new pope appears to have been known at the Court of Queen Mary within three weeks of that event. On the other hand, it is most unlikely that the forger of such a document would commit so great a blunder in the dating of it.

With respect to the document itself, so far as one can judge from facsimiles, there is nothing about it to suggest a forgery.

It is to all appearance in the handwriting of Alexander Forrest, the archbishop's secretary and datary, as may be seen by comparing it with other documents written or attested by him. For instance, it closely resembles a presentation and collation of Archibald Hamilton to the office of chaplain and regent in the New College of St Andrews, dated March 27, 1559. Oddly enough, there is something wrong with the dating of this presentation as well as with the dispensation. It is given in the first year of the pontificate of Pius IV., who was not elected until December 25 or 26, 1559, nor crowned until January 6, 1560. The indiction given is also wrong and belongs to 1560. Perhaps March 27 is a slip for March 17. Such a coincidence points to careless dating on the part of the archbishop's secretary.

Dr Walker was of opinion that it is "morally impossible that a document such as that which Dr Stuart disinterred at Dunrobin could have issued from the chancery of St Andrews." Against that opinion may be set the fact that the Bothwell dispensation is drawn up in exactly the same form as the dispensation granted by Archbishop Hamilton in the case of Hugh, third Earl of Eglinton, and Agnes Drummond, Lady of Loudon, dated August 19, 1562, and printed in Sir William Fraser's 'Memorials of the Montgomeries,' vol. ii. p. 189. The wording of the formal clauses in the later dispensation follows that of the earlier one too closely to be the work of a forger, unless he had access to the archiepiscopal registers. The archbishop's signature differs slightly in the two dispensations, but in both cases he uses a small initial "s" in the word "Sanctiandree," which was not his usual practice.

A close inspection of the two facsimiles suggests various small points for discussion, but nothing seriously affecting the validity of the document. It is curious, for one thing, that the datary's mark should be left incomplete in both by the omission of his second initial. The letter A for Alexander is shown but not the F for Forrest. Perhaps in the original parchment it has faded out of sight. The only real flaw to be found in the dispensation is the erroneous pontificate, and that is not enough to warrant its being set aside as "a ridiculous forgery."

## X.

On Feb. 24 Hamilton was charged, as lord of the regality of Paisley, to appear before the Regent in Council on March 20, with "his precept quhairwitht he causit his officaris proclame airis" (T. A.). On May 23 summons was sent to "his duelling place of Paslay" that he should compear before the Council on June 1 (*ibid.*); and on May 22 the archbishop with many others was charged under the great seal to compear on Aug. 18 in the Parliament beginning July 11, for supporting Mary after her escape from Lochleven (Supplementary Parl. Papers). On June 6, with a number of Hamiltons, he was to find surety to underly the law on July 6 for the slaughter of certain persons at Langside: at the same time letters to denounce him were sent to Cupar (T. A.). The summons to compear on Aug. 18 was repeated on June 11; and in the same month of June writers were paid for a copy of the rental of the archbishopric (*ibid.*). On July 12 Sempill had the gift of his escheat as Abbot of Paisley, and the escheats of his sons, John and William (R. P. S., xxxvii. 84); and on July 15 charge was given to uplift the archbishop's escheat goods south of Forth (T. A.).

## XI.

In a paper marked "Provision for the Regent's Widow, &c.," one of the heads to be considered by the Queen's Majesty of England is "That my Lord and all his servants may be discharged of all intromission with any man's rents by way of escheat, and especially with any movables or immovables intromitted with by him or them in his name, pertaining some time to James, Duke of Châtelherault, John, Archbishop of St Andrews, John, Bishop of Ross, or any others, especially Lord Herries." <sup>1</sup>

## XII.

Lord Herries (Cal. of State Papers (Foreign), 1569-1571, 1647) wrote to Lord Scrope that on the 7th Lennox caused hang and

<sup>1</sup> C. S. P., iii. 140.

quarter the Bishop of St Andrews. In the Bannatyne 'Memorials' it is said that the archbishop was executed on the 7th, and that he confessed to a share in the Regent's murder; while Pitscottie affirms that Hamilton, admitting participation in that murder, alleged that he had no part in the slaughter of Darnley. The date of the execution is given as Saturday, April 7, in John Scott's Jottings (Hay Fleming's 'The Reformation in Scotland,' 631). Calderwood gives the date as April 6, and Bellesheim ('History,' Engl. Transl., iii. 214) as April 5. An epitaph on Archbishop Gladstones, beginning "Restis Hamiltonum necat, ensis ut ante Betonum," has been "Englished" thus, "The bastard Bishop Hamiltoun was hang'd, and Cardinall Beatoun stob'd, &c." (Row's 'Historie of the Kirk of Scotland,' 304; Wodrow, 'Biogr. Col.' i. 314).

### XIII.

Sir James Melville states that he had obtained from the Bishop of St Andrews a promise of the lands of Lethem, but that while he had possession he had no lease, "by reason that the bishop was for the time in Dumbarton forfeited." He says that the Earl of Morton was "malcontent for denying to him the bishopric of St Andrews," but by the help of Randolph he obtained it; and that when Morton was regent he was willing that it should go to the Laird of Grange ('Memoirs,' 214, 220, 225, 236; cf. C. S. P., iii. 827). John Douglas, rector of St Andrews University, had a presentation to the archbishopric on August 6, 1571 (Reg. of Presentations, i. 18; R. P. S., xxxix. 117). On September 8, Mar granted commission to examine his qualifications (Reg. of Presentations), and on January 28, 1572, ordered letters under the great seal to the dean and chapter requiring them to choose an archbishop (R. P. S., xl. 60). Letters for consecration were ordered on February 9, and on March 30 Douglas was placed in possession of the temporality from Whitsunday 1571 (Reg. of Presentations).

## ADDENDA AND CORRIGENDA.

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- Vol. I. P. 29, *read* "Berkshire" *for* "Yorkshire."  
 P. 45 n, *add* "Orkney."  
 P. 60. A copy of Huseman's instructions was found at Rome by Dr Maitland Thomson in the Biblioteca Vittorio Emanuele (Fondo Gesuitico, 151, c. 198), which shows that Graham was to have a full and fair hearing, *patienter et cum humanitate*. The nuncio's name is given as Herseman.  
 P. 61, *read* "protonotaries" *for* "prebendaries."  
 P. 75, App. X. l. 10, *read* "James III."  
 P. 88, *read* "consecration" *for* "installation."  
 P. 206 n, *read* "sericas."
- Vol. II. P. 34, *read* "White Monks" *for* "White Friars."  
 P. 84, *read* "Law's" *for* "Lawd's."  
 P. 220. Andrew Forman had a daughter Jane, who in 1518 was marrying Alex. Oliphant, grandson of Sir John Oliphant of Kellie (A. D. C., xxxii. 76); she married, secondly, William Gourlay of Kincaig (A. D. C. S., xxvii. 76); and, thirdly, Andrew Wood of Largo, dying in 1567 ('Acts and Decrees,' xlv. 425). [Communicated by Dr Maitland Thomson.]  
 P. 240, l. 32, *read* "*seriandis*."
- Vol. III. P. 17, *read* "1507" *for* "1517."  
 Pp. 57, 59, *read* "Lord Home."
- Vol. IV. P. 231, *read* "Bochetell."



# INDEX.

- Aberdeen, see of, iv. 236.  
Adamson, Henry, iv. 224.  
Adamson, John, ii. 185.  
Adrian VI., iii. 82.  
Albany, Alex., Duke of, i. 99 ff.  
Albany, John, Duke of, ii. 56, 88 ff.; 100, 104-5, 109, 123, 127, 132 ff., 172 ff.; iii. 47-171, 213, 222, 227, 230; iv. 3, 6, 8.  
Alençon, Duke of, iii. 80.  
Alesius, iii. 195.  
Alexander VI., i. 166, 184 ff., 202; iii. 14.  
Altonitz, Cornelius, i. 175.  
Ancrum Moor, iv. 163; v. 20.  
Angus, Earl of (5th)—i. 101; ii. 7. (6th)—ii. 100, 186 ff., 233; iii. 49-96, 109-193; iv. 14, 71, 86-8, 93, 108, 124, 130-144, 154-169, 177, 181-2; v. 13, 19, 21, 30, 41. (8th)—v. 241.  
Arbroath, i. 24, 72, 120, 154, 156, 197; ii. 93, 97, 108, 145, 170, 176 ff., 193, 241; iii. 60, 138, 232, 243; iv. 8 ff., 122, 233; v. 30, 47. See Brydy, Malcolm.  
Arbuthnot, i. 184.  
Argyle, Earl of (1st)—i. 102 ff., 144. (3rd)—iii. 91, 93, 100, 116, 127, 146, 155, 163, 190. (4th)—iv. 73-176; v. 41, 44, 86, 89 ff. (5th)—v. 107-8, 118-9, 153, 170, 202, 204, 209-11, 214, 218, 221-5, 232, 241.  
Arran, Earl of (1st)—ii. 28, 30, 88, 100, 119, 187 ff.; iii. 51-190, 228, 230. (2nd)—iii. 228; iv. 50, 55, 73, 76, 82-214; v. 7-79, 112, 144, 148, 165, 205, 221, 224 and *passim*. (3rd)—v. 32, 111-2, 119, 130, 134, 137, 142, 144, 146, 168.  
Athilmer, John, i. 37.  
Atholl, Earl of (1st)—i. 103. (4th)—v. 108, 150, 167, 171, 232.  
Avondale, Lord, i. 102, 104.  
Aytoun, truce of, ii. 12.  
Baillie, Bernard, iv. 231.  
Bainbridge, Cardinal, ii. 81.  
Baky, iv. 68.  
Balfour, Henry, iv. 104 ff.  
Balfour, Sir James, v. 191, 200.  
Balfour, Martin, iii. 210; iv. 70, 222.  
Balmerino, i. 24.  
Balnaves, iv. 133, 212-3.  
Barry, church of, i. 24.  
Bastie, De la, ii. 89, 104, 174.  
Beaton, Alex., son of the Cardinal, iv. 42.  
Beaton, David, Cardinal: birth, iv. 2; University career, 3; chancellor of Glasgow, 4; diplomatic service, 6 ff.; Abbot of Arbroath, 9 ff.; Privy Seal, 15; envoy to France, 16 ff.; Mirepoix, 25; coadjutor of St Andrews, *ibid.*; cardinal, 26 ff., 42; in France, 38; requests

- for legatine power, 27, 41, 44, 49, 53, 58; return, 42; politics in Scotland, 43 ff.; expedition to the Isles, 51; heretics, 33 ff., 54 ff.; goes to France, 60; return, 70; Solway Moss, 71 ff.; after death of James, 81 ff., 103; arrested, 90 ff.; at liberty, 113; reconciled with Arran, 124; chancellor, 136; heretics, *ibid.*; legate *a latere*, 141; plots against his life, 145, 168, 174, 179; Hertford's invasion, 147 ff.; English intrigues against, 152 ff.; war, 176; heresy, 187; Wishart, 188 ff.; murder, 201 ff.; character, 215. Also ii. 195; iii. 88, 98, 106, 124, 138, 145, 151, 166, 200, 212, 232, 236, 242.
- Beaton, David, son of the cardinal, iv. 37.
- Beaton, David, kinsman of the cardinal, iv. 70.
- Beaton, George, iii. 138.
- Beaton, George, son of the cardinal, iv. 198.
- Beaton, James, Archbishop: early years, iii. 4; Dunfermline, 9; treasurer, 11; Chamberlain of Fife, 12; bishop of Whithorn, 15 ff.; Glasgow, 21; Kilwinning, 40; coronation of James V., 45; chancellor, *ibid.*; candidate for St Andrews, 53; supports Albany, 58; a vice-regent, 65; "Cleanse the Causeway," 69; nominated for St Andrews, 77; relations with England, *ibid.* ff.; provision to St Andrews, 96; after Albany's departure, 108; deprived of Great Seal, 116; imprisoned, 119; liberation, 132; chancellor, 149; relations with England, *ibid.* ff.; deprived of Great Seal, 159; Patrick Hamilton, 170 ff.; John Major, 188; fall of Angus, 189; Alesius and Cochlaeus, 195 ff.; Thomas Forret, 199; Alexander Seaton, 200; Henry Forrest, 205; trial of Lutherans, 207; legatine powers, 212 ff.; Court of Session, 216-237; St Mary's College, 240 ff.; death and character, 245. Also i. 233, 242 ff.; ii. 4, 32, 84, 100, 112, 116, 119, 164 ff., 187 ff., 233, 241; iv. 4-34, 223.
- Beaton, James (II. Glasgow), iv. 233; v. 30, 44, 138, 189, 213, 219.
- Beaton, James, son of the cardinal, iv. 37, 42.
- Beaton, James, kinsman of the cardinal, iv. 70.
- Beaton, James, of Melgund, iv. 220.
- Beaton, John, son of the cardinal, iv. 42.
- Beaton, John, of Balfour, iv. 220; younger, iv. 72, 114, 231.
- Beaton, John, in Nether Markinch, iv. 220.
- Beaton, Robert, iii. 137, 143.
- Beaton, Walter, iv. 223.
- Beaton of Creich, iii. 7, 11; iv. 9.
- Beaton, Agnes, daughter of the cardinal, iv. 199.
- Beaton, Elizabeth, daughter of the cardinal, iv. 198.
- Beaton, Margaret, daughter of the cardinal, iv. 197-8.
- Beaton, Mariot, daughter of the cardinal, iv. 198.
- Bellenden, Robert, i. 192.
- Bertoun, John, i. 232.
- Bertoun, Robert, i. 203.
- Beveridge, John, iv. 34.
- Blackader, Adam, iv. 228.
- Blackader, Robert (Glasgow), i. 91, 110, 114, 127-168, 241, 246; ii. 15, 21 ff.; iii. 22.
- Borthwick, Captain, iv. 46, 51 ff., 225-6.
- Bothwell, Lord (Ramsay), i. 175 ff.
- Bothwell, Earl of (1st)—i. 180; ii. 15, 21. (3rd)—iii. 226; iv. 92-4, 100, 117, 119, 123-4,

- 131, 148, 154, 156-7, 162, 192, 247; v. 19, 28, 49. (4th)—v. 119, 167, 170, 176-201.  
 Bothwell, Lady (Agnes Sinclair), iv. 247; (Jean Gordon), v. 192.  
 Bothwell, Church of, iii. 7.  
 Boulogne, Treaty of, v. 49, 53.  
 Bourges, ii. 73 ff., 102, 145.  
 Bowes, Sir Robert, iv. 71.  
 Boyd, Lord (5th), v. 205, 209, 224-5, 241.  
 Boyd, Sir Walter, i. 27.  
 Boyd, Marion, i. 219.  
 Boyds, ascendancy of the, i. 28.  
 Brand, John, v. 136.  
 Brechin, hospital of, i. 84, 211.  
 Broughty Castle, v. 43, 45.  
 Brown, George (Dunkeld), i. 110, 179; ii. 109; iii. 14.  
 Brown, George, parson of Kynnell, i. 159.  
 Brown, James, Dean of Aberdeen, i. 186.  
 Brydy, Malcolm, i. 24, 37, 72.  
 Buccleuch, Laird of, v. 230-1.  
 Buchan, Earl of (1st), i. 175 ff.  
 Buchanan, George, iv. 35; v. 237.  
 Burgundy, Duchess of, i. 180.  
 Caerlaverock, iv. 181, 183.  
 Calais, Conference of, iii. 77.  
 Calder, Laird of, iv. 146; v. 85; young laird of, iv. 192.  
 Cambrai, League of, ii. 38.  
 Cambuskenneth, ii. 97; iv. 237.  
 Cambuskenneth, Henry, Abbot of, i. 43.  
 Campbell, Donald, iii. 251.  
 Campbell of Lundy, iv. 55.  
 Campbell, Sir Hugh, of Loudon, v. 105.  
 Campeggio, Cardinal, iii. 227.  
 Carberry Hill, v. 201.  
 Cardan, v. 63 ff.  
 Carmichael, George, i. 110.  
 Carmichael, Peter, iv. 203, 209.  
 Carnegie, Sir Robert, v. 56.  
 Carpentarii, Jacobus, i. 47.  
 Cassanate, v. 63 ff.  
 Cassillis, Earl of (2nd)—iii. 147. (3rd)—iv. 85, 108, 123, 138, 143, 154, 161, 164-8, 174-5, 177, 191, 197; v. 12, 19-20, 79, 86. (4th)—v. 99, 213-4, 221, 224, 241.  
 Chalmer of Gadgirth, v. 96.  
 Chapel-Royal, i. 49, 113, 132, 233, 240 ff.; ii. 53; iii. 9, 15, 26 ff.  
 Chaplain, Peter, iii. 210; iv. 70.  
 Charles V., iii. 77, 82, 86, 87, 217, 224, 226; iv. 16-18, 31, 42, 55, 62, 65 ff.; v. 70 ff.  
 Charles VIII. *See* France.  
 Charterhouse, at Perth, iv. 114.  
 Charters, John, iv. 133, 145, 155-6.  
 Chisholm, William (Dunblane), v. 127, 133, 171, 199, 219.  
 Cibo, Innocent, ii. 82 ff., 90 ff., 98, 103; iii. 53.  
 Cistercians, visitation of, ii. 192.  
 "Cleanse the Causeway," iii. 69-72.  
 Clement VII. (anti-Pope), i. 67. (Pope), iii. 126, 134 ff., 141, 153, 157, 207, 213, 216 ff.; v. 26.  
 Clerk, John, iii. 135-157.  
 Clerks, parish, ii. 242; iv. 243.  
 Cochlaeus, iii. 197.  
 Coldingham, i. 49, 113, 132, 244; ii. 85, 98, 264; iv. 159, 228, 237.  
 Collegiate churches, iv. 242.  
 Colvill of Ochiltre, iv. 13.  
 Commendation, Act against, i. 32, 42.  
 Conveth, v. 76.  
 Corpus Christi, feast of, i. 62.  
 Corriche, v. 150.  
 Cottingham, ii. 17, 81, 95, 109.  
 Cottis, John, ii. 175.  
 Council, Fifth Lateran, ii. 64.  
 Crag, George, ii. 96.  
 Craigie, Laird of, iv. 110.  
 Crail, ii. 193; iv. 61, 176.  
 Crawford, Archibald, v. 192.  
 Crawford, Earl of (5th)—i. 211, (7th)—ii. 91. (9th)—iv. 198. (10th)—iv. 197-8. (11th)—iv. 214.

- Crawford of Jordanhill, v. 235.  
 Crichton, George (Dunkeld), i. 193; ii. 97; v. 3, 10, 23.  
 Crichton, Henry, i. 31.  
 Crichton, Peter, v. 15.  
 Crichton, Provost of Dunglas, iv. 222.  
 Crichton, Robert (Dunkeld), v. 11, 23, 127, 133, 143, 145, 158, 171.  
 Crichton of Brunston, iv. 76 ff., 133, 145-6, 154-5, 174, 181, 192, 197, 213, 215, 230; v. 43.  
 Crichton, Church of, i. 86.  
 Cromwell, Thomas, iii. 95; iv. 19.  
 Crosier, Clement, iv. 118.  
 Crossraguel, ii. 148; iii. 33; v. 150, 175.  
 Cunningham, Alex., monk of Glenluce, ii. 181.
- Dacre, Lord, iii. 53-114.  
 Darius, Silvester, iii. 219.  
 Darnley, v. 160 ff.  
 D'Aubigny, Lord, ii. 29.  
 D'Aubigny, Mons., ii. 191; iii. 69, 73.  
 Denmark, i. 113; ii. 65; iii. 86, 95; iv. 17, 65, 71; v. 35.  
 D'Essé, Sieur, v. 47-8.  
 Douglas, Archibald, ii. 190.  
 Douglas, Sir George, iv. 21, 71, 81, 87 ff., 95-197 *passim*; v. 12, 21, 32, 41.  
 Douglas, Hugh, i. 15.  
 Douglas, John, v. 89 ff., 95, 99.  
 Douglas, John, Archbishop, v. 252.  
 Douglas of Loch Leven, i. 79, 159, 191.  
 Douglas, Lady Margaret, iv. 153.  
 D'Oysel, v. 70 ff., 87, 106, 109-10.  
 Dromore, Bishop of, i. 119.  
 Drumlanrig, Laird of, iv. 166.  
 Dryburgh, i. 229; ii. 77, 141, 145-6, 235; iii. 258; iv. 49, 51, 56, 58, 238.  
 Dumbarton Castle, i. 137; iv. 115, 123, 155; v. 31.  
 Dunbar, Gavin (Aberdeen), ii. 100, 135, 187; iii. 51, 95-155, 175.  
 Dunbar, Gavin (Glasgow), ii. 183; iii. 156, 191, 212 ff., 234 ff.; iv. 33, 35, 40, 46, 83, 94, 153, 171, 185, 189; v. 19, 31-2, 52.  
 Dunbar, William, i. 182.  
 Dunbar of Kilconquhar, iv. 248.  
 Dunbar, Castle, i. 112; ii. 22, 104; v. 47; Mains, ii. 26; iii. 12.  
 Dunblane, ii. 164.  
 Duncanson, Sir John, iii. 81.  
 Dundas, George, ii. 180; iii. 53.  
 Dundas of Fingask, i. 34.  
 Dundrennan, iii. 144; iv. 228.  
 Dunfermline, i. 32, 63 ff., 193, 238 ff.; ii. 97, 103, 108, 116, 145, 149; iii. 9 ff., 25, 77, 166, 244.  
 Dunkeld, i. 114; ii. 110 ff., 127, 164, 167 ff.; iii. 14 ff., 56, 258; iv. 238; v. 11, 23. *See* Douglas; Crichton.  
 Dury, Andrew, iii. 137, 150-166; iv. 228.  
 Dury, George, iii. 166, 244; iv. 45, 225; v. 138.  
 Dury, Robert, iii. 15.
- Edinburgh Castle, v. 15.  
 Edinburgh, Treaty of, v. 124.  
 Edmonstone of Duntreith, i. 181.  
 Edward IV., i. 99 ff.  
 Eglinton, Earl of (3rd), v. 147, 171, 175, 199, 213-4, 222-3, 241.  
 Eglinton, Master of, iii. 69.  
 Elizabeth, iv. 101; v. 113, 118, 122, 130, 137, 160, 208, 218 ff., 231, 240.  
 Elphinstone, William (Aberdeen), i. 94, 114, 124, 135, 143, 156, 170, 217, 236 ff.; ii. 4, 84 ff., 95, 97, 101; iii. 23, 35, 51.  
 Erasmus, i. 211, 220, 238, 248, 258, 262 ff., 269.  
 Errol, Earl of (3rd)—i. 87. (7th)—v. 165.  
 Erskine, Lord (5th)—iii. 219; iv. 154. (6th)—v. 115, 122.

- Erskine, Sir Thomas, iv. 17, 93.  
 Erskine of Dun, iv. 157; v. 85, 106.  
 Evers, Sir Ralph, iv. 118, 161, 163.  
 Faenza, Bishop of, iv. 22, 24.  
 "Faith, the Twopenny," v. 103.  
 Falkland, iii. 63.  
 Fast Castle, iii. 59; lady of, ii. 21.  
 Fasyntoun, Thomas, ii. 192.  
 Felix V. (anti-Pope), i. 212.  
 Ferdinand (Aragon), i. 145; ii. 41 ff.  
 Ferdinand I., iv. 166.  
 Fernihirst, Laird of, v. 230-1.  
 Fettercairn, i. 47.  
 Finlay, Simon, i. 117.  
 Fleming, Lord (1st)—i. 27. (2nd)—iii. 85, 95. (3rd)—iv. 85, 183; v. 13. (4th)—v. 202, 205, 209, 213-4, 231 ff.  
 Fontibus, Robert de, i. 146, 221.  
 Forbes, William, i. 15, 72.  
 Forman, Andrew, Archbishop: birth and education, ii. 6-7; enters king's service, 8 ff.; prior of May, 12; envoy for marriage of James IV., 13 ff.; bishop of Moray, 15, 18, 23 ff.; commendator of Cottingham, 17 ff.; conducts Margaret to Scotland, 20 ff.; secular duties, 25 ff., 30, 69; envoy to England, 27 ff.; to Henry VIII., 32 ff.; Dryburgh, 34; envoy to Italy, 34 ff.; relations with Alex. Stewart, 55; Dunkeld, 63, 113; in England, 67; in France, 72; Bourges, 73; Flodden, 80; St Andrews, 92 ff., 106 ff.; legate *a latere*, 108; opposition in Scotland, 113 ff.; contest for possession, 130-148; quarrel with Prior Hepburn, &c., 151 ff.; recommended for cardinalate, 146, 162; a vice-regent, 174 ff.; his constitutions, 200 ff.; death, 218; character, 219 ff. (cf. v. 255); writs by, appointing officers, &c., 236 ff. Also i. 243; iii. 24, 66, 72, 167; iv. 27.  
 Forman, Sir John, ii. 19, 26, 29.  
 Forman, John, ii. 42, 146; iii. 38.  
 Forman, Robert, ii. 33, 92, 104, 116, 131, 138, 164, 219, 252; iii. 167.  
 Forman, Jane, v. 255.  
*Formulare*, St Andrews, ii. 224 ff.; ii., iii., iv. App.  
 Forrest, Alexander, v. 196.  
 Forrest, Henry, iii. 205.  
 Forrester, Robert, iv. 33.  
 Forret, Thomas, iii. 199; iv. 34.  
 Forteviot, i. 47, 162.  
 France, relations of Scotland with, i. 99 ff., 112, 124; ii. 28, 37-79, 89 ff., 101, 126; iii. 18, 46-154, 223, 239, 247; iv. 7-25, 38-45, 60-76, 116 ff., 129, 135, 143, 158-184; v. 21, 31, 46 ff., 63, 70 ff., 85 ff., 116 ff., 138 ff.  
 Frissel, John, i. 132.  
 Frith, John, iii. 178.  
 Fyvie, Laird of, iv. 154-5.  
 Galloway, Alexander, ii. 194; iv. 5.  
 Galloway, See of, i. 52, 238; iii. 15 ff., 28.  
*Gardbrig*, i. 79.  
 Ghinucci, iii. 157.  
 Gibson, William, iv. 51, 53, 225-8.  
 Glamis, Lord (7th), iv. 133, 156, 162, 177.  
 Glasgow, Chapter of, i. 145, 246; iii. 22, 28 ff.  
 Glasgow, See of, iii. 28 ff., 55, 150, 212 ff., 238; iv. 40, 44, 172 ff.; v. 82.  
 Glasgow, University of, iii. 24.  
 Glen, James, iii. 99.  
 Glencairn, Earl of (3rd)—iv. 85, 108, 115, 119, 123, 138, 143, 152, 155, 162, 165, 170, 177, 190; v. 19, 28. (4th)—v. 105, 107, 119, 137, 142, 164.  
 Glenluce, ii. 180 ff.; iv. 238.

- Gonzolles, iii. 76, 93-100, 121, 137, 145.
- Gordon, Alex. (Galloway), iv. 231; v. 57, 193.
- Gordon, Alex. (Aberdeen), ii. 164.
- Gordon of Scheves, iv. 199.
- Gordon, James, iv. 114.
- Gouda, Nicholas de, v. 148.
- Gourlay, Norman, iii. 209.
- Govan, i. 92.
- Graham, Nicholas, i. 74.
- Graham, Patrick, Archbishop: i. 11; birth, 12, 71; at St Andrews University, 13 ff.; bishop of Brechin, 23 ff.; bishop of St Andrews, 25; Pittenweem and Paisley, 29 ff.; chancellor of University, 36; archbishop, 41 ff., 53 ff.; at Rome, 42 ff.; internuncio, 50; quarrel with James III., 54 ff.; trial, 60 (cf. v. 255); death, 63; character, 65 ff.; and Scheves, 81, 84.
- Graham, Euphemia, i. 51.
- Grange, Laird of, iv. 54, 98, 145, 201 ff., 209, 213; v. 110, 134; young laird of, iv. 202-3, 209.
- Gray, Lord (4th), iv. 85, 122, 133, 134, 146, 156, 177; v. 44.
- Grey, Lord, of Wilton, v. 44 ff.
- Grimani, Marco, iv. 107, 111, 129, 135, 142.
- Gualterotti, ii. 140, 149.
- Guise, Duke of, iv. 89, 90, 102, 162.
- Guthrie, Richard, i. 38.
- Hackett, John, iii. 174.
- Haddenrig, iv. 71.
- Haddington, iv. 239; v. 44 ff.; nunnery of, ii. 155.
- Hailes, Lord, i. 170, 173.
- Halkerston, Thomas, i. 192, 227, 232, 235-6.
- Hamilton, Alexander, iii. 166, 254.
- Hamilton, Arthur, v. 205.
- Hamilton, Claud, v. 74, 214, 233-4, 241.
- Hamilton, David (Argyle), ii. 181, 235.
- Hamilton, David, v. 89.
- Hamilton, Lord David, v. 111.
- Hamilton, Gavin, v. 56, 67, 109, 131, 141, 144, 205, 207-8, 211, 223, 233.
- Hamilton, James, brother of Châtelherault, v. 24.
- Hamilton, John, Archbishop: birth, v. 2; at St Andrews, 3; commendator of Paisley, 4; in France, 6; Privy Seal, 9; relations with Cardinal Beaton, 10 ff.; treasurer, 17; Dunkeld, 11, 23 ff.; temporality of St Andrews, 28; siege of the castle, 32 ff.; Pinkie, 40; translated to St Andrews, 42; installed, 51; provincial council, 52; request for legatine power, 54; heresy, 55; provincial council, 59; the Catechism, 60; visit of Cardan, 63; legate *a latere*, 68, 81; after the fall of Châtelherault, 80 ff.; Walter Myll, 92; Council of 1559, 100 ff.; Châtelherault becomes Protestant, 113 ff.; difficulties, 121; death of the Dowager, 124; the Reformation Parliament, 126 ff.; arrival of Mary, 142; condemned for the Mass, 152; Roundabout Raid, 165; Riccio, 167; baptism of James VI., 169 ff.; consistorial court restored, 174 ff.; Darnley's murder, 184 ff.; divorce of Lady Bothwell, 192 ff.; Carberry Hill, 201; coronation of James VI., 205; regency of Moray, 210 ff.; Langside, 216; forfeited, 218; return of Châtelherault, 224; assassination of Moray, 227 ff.; taken and executed, 235 ff.; character, 242. Also iii. 150; iv. 99, 102, 107, 123.
- Hamilton, John (Arbroath), v. 203, 209, 211.
- Hamilton, Patrick, iii. 171 ff. 194; iv. 14.

- Hamilton of Bothwellhaugh, v. 227 ff.  
 Hamilton of Finnart, iii. 121; iv. 54, 55.  
 Hamilton of Kincavel, iii. 187, 210.  
 Hamilton of Preston, iv. 193.  
 Hamilton of Stanehouse, v. 15.  
 Hamilton, Catherine, sister of Patrick, iii. 210.  
 Harlaw, William, v. 95.  
 Haswal, James, iii. 259.  
 Hay, James, i. 239.  
 Hay, John, iv. 37; v. 34.  
 Hay, Thomas, iii. 251.  
 Henry VII., i. 120, 175 ff.  
 Henry VIII., ii. 76 ff., 101, 110, 116, 123 ff., 172; iii., 46-160, 192, 220-247; iv. *passim*; v. 14, 18 ff., 31, 35.  
 Hepburn, James, ii. 108, 116, 137, 147, 149, 163; iii. 84, 138.  
 Hepburn, John (St Andrews), i. 114, 183, 226, 230, 256; ii. 4, 84, 102, 104, 113 ff., 133, 136, 151 ff., 173; iii. 75, 96 ff., 147, 183.  
 Hepburn, Patrick (Moray), iii. 196; v. 104, 145, 158.  
 Hepburn, Elizabeth, ii. 155.  
 Heretics, iv. 136, 187, 223-4; v. 54. *See* Lutherans.  
 Herries, Lord (4th), v. 202, 209, 211, 214, 216, 223, 225.  
 Hertford, iv. 140-152, 168-180; v. 18 ff. *See* Somerset.  
 Hilliard, Dr, iv. 45, 56, 165, 226, 231.  
 Holyrood, i. 48, 191; iii. 259; iv. 239.  
 Home, Lord (3rd), ii. 91, 100, 111, 113 ff. 126, 128, 133 ff., 172-3, 257; iii. 51-59 (not "Earl" as printed).  
 Home, Patrick, i. 49.  
 Hungary, Dowager of, v. 70, 72.  
 Huntly, Earl of (2nd)—i. 195. (3rd)—iii. 51, 93. (4th)—iv. 50, 71, 73, 82, 88, 92, 94, 100, 104, 117, 119, 148, 154, 156, 165, 167, 170, 250; v. 21, 30, 41, 44-5, 57, 86, 110, 149 ff. (5th)—v. 167, 200-225, 232, 241.  
 Huseman, John, i. 60; v. 255.  
 Imola, Bishop of, i. 117 ff.  
 Inchbrioch, i. 47.  
 Inchcolm, i. 63-4.  
 Inchgarvy, iii. 99.  
 Inchmahome, iii. 19, 259.  
 Indulgences, i. 46, 126, 130; ii. 266; iv. 245.  
 Inglis, Alexander, i. 79, 113.  
 Initiatis, Antonius de, iii. 17.  
 Innernyte, iii. 16.  
 Innocent VIII., i. 114 ff., 139 ff., 155 ff., 253; bull of, anent pre-lacies, 157.  
 Ireland, iv. 56, 166.  
 Ireland, Dr, i. 119, 135.  
 Isles, Lord of the, i. 62.  
 Isles, The, iv. 50.  
 James III., i. 45-58, 84, 95, 98 ff., 135, 165, 172.  
 James IV., i. 69, 137, 140, 166, 183, 199, 215 ff., 231, 244, 251; ii. 34 ff., 76 ff.; iii. 14-39.  
 James V., iii. 45, 99, 106 ff., 114, 120, 136, 146, 148, 159, 165, 167, 189 ff., 202-207, 214 ff., 223-239; iv. 15 ff., 26, 36-82, 103.  
 James VI., v. 169 ff., 205, 222.  
 Jardine, Sir Alex., ii. 133-134.  
 Jardine, Captain of Tantallon, iv. 145.  
 Jewel, Bishop, v. 116, 147.  
 Julius II., i. 225-7, 242, 254; ii. 35 ff., 96; iii. 17 ff.  
 Keillor, John, iv. 34.  
 Keith, Mr Robert, i. 35.  
 Keith-Humbie, i. 35.  
 Kelso, i. 48; ii. 170, 198; iv. 239.  
 Kennedy, Alexander, iv. 35.  
 Kennedy, Gilbert, Lord, i. 27.  
 Kennedy, Gilbert, i. 154.  
 Kennedy, James (St Andrews), i.

- 11 ff., 29, 33, 35, 70, 131, 196.  
 Ker, Thomas, ii. 170, 198.  
 Kilrenny, iii. 256; iv. 230.  
 Kilwinning, ii. 145-6; iii. 38, 60, 77, 166, 254, 258.  
 Kinkell, ii. 194; iv. 4.  
 Kinneff, i. 58.  
 Kinneir, Laird of, iv. 190.  
 Kirkcaldy, Henry, i. 37.  
 Kirkinner, iii. 7.  
 Kirkliston, ii. 143 ff., 151 ff.; iii. 97; iv. 102.  
 Knollys, William, ii. 180.  
 Knox, John, v. 37, 108, 112, 135-6, 157.  
 Kynnell, i. 21-2, 47, 159, 233, 249, 253.  
 Kynnerne, iv. 221.  
 Lacrois, iv. 161-2.  
 Laet, Jasper, i. 82, 152.  
 Lamb, James, iii. 125.  
 Lambert, Francis, iii. 177.  
 Lasswade, i. 47, 91, 132.  
 Latinus Juvenalis, iv. 31, 38, 39.  
 Lauder, John, ii. 226; iii. 144, 227, 256; iv. 28, 33, 60, 194, 227, 234.  
 Lauder of the Bass, i. 125.  
 Lauder, Mr Robert, iii. 176.  
 Laureo, Vincenzo, v. 169, 173.  
 Laurerius, Dionysius, iii. 239.  
 League, The Holy, ii. 41, 52-3, 58, 62 ff.  
 Leirmonth, David, i. 213, 230; ii. 140.  
 Leirmonth of Dairsie, iv. 201, 249; v. 247.  
 Lennox, Earl of (1st)—i. 137. (3rd)—iii. 75-98, 111, 126, 143-8, 155, 161-4. (4th)—iv. 99, 107, 115-9, 125, 138, 143, 152, 155, 179, 181; v. 31, 160, 190, 223, 231 ff.  
 Leo X., i. 184; ii. 3 ff., 76 ff., 98, 102, 118, 124, 175 ff.; iii. 53 ff., 68, 73, 76.  
 Lesley, John, v. 140, 202, 222.  
 Leslie, John, brother of Rothes, iv. 201-3.  
 Leslie, Norman, iv. 145-6, 155, 201-12.  
 Lethington, v. 112, 137, 155, 176-7, 183, 207-8, 220.  
 Lichton, David, i. 154.  
 Lincluden, i. 136, 155; iii. 19.  
 Lindores, i. 58.  
 Lindsay, Lord (6th), v. 166.  
 Lindsay, Sir David, iv. 45-6.  
 Lisle, Lord, iv. 78-93, 102, 184.  
 Litster, John, i. 117.  
 Livingstone, Alex., i. 151.  
 Livingstone, James (Dunkeld), i. 88, 102.  
 Livingstone, Lord (6th), v. 78.  
 Livingstone of Drumry, iii. 15.  
 Lochleven, i. 63-5.  
 Lockhart, George, iii. 210.  
 Logy, Gavin, i. 256; ii. 157-8; iii. 195, 202 ff.  
 Logy, Thomas, i. 37.  
 Lok, John, i. 17, 37, 78, 85.  
 Longueville, Duke of, v. 57.  
 "Lords, The English," iv. 85, 93, 95, 105, 110, 129, 131.  
 Lorges, iv. 161-180; v. 20.  
 Louis (XI., XII.) *See* France.  
 Louise of France, iii. 151; iv. 12, 25.  
 Louvain, iii. 188.  
 Lowry, William, i. 151.  
 Luther, iii. 171, 179, 185.  
 Lutherans, iii. 171 ff.; iv. 33 ff.; v. 37. *See* Heretics.  
 Lyle, Lord (2nd)—i. 137. (3rd)—iii. 15; iv. 249. (4th)—iv. 249.  
 Macbriar, v. 55.  
 Madeleine, Queen, iv. 16-20.  
 Magnus, iii. 120 ff., 145-6, 162, 167, 191.  
 Maine, Marquis of, v. 56.  
 Major, John, i. 250; iii. 175, 188, 210; iv. 70.  
 Malyne, Walter, ii. 182; iii. 79.  
 Manderston, John, v. 193.  
 Mar, Earl of, i. 99.  
 Mar, Sir Walter, iv. 37.  
 Margaret (James III.), i. 131.  
 Margaret Tudor, ii. 87, 100, 105,

- 111, 115, 126, 133 ff., 188 ;  
iii. 46 ff., 57, 62 ff., 74, 107,  
113, 122, 155, 163, 168, 192 ;  
iv. 10, 23.
- Markinch, iv. 60.
- Marischal, Earl (3rd)—i. 35.  
(4th)—iv. 146, 162-6 ; v. 108,  
128.
- Marque, La, v. 120.
- Martigues, v. 120.
- Martin, Andrew, i. 111.
- Mary of Bourbon, iv. 17, 18, 19.
- Mary of Guise, iv. 20 ff., 96, 125,  
131, 135, 143, 153 ff., 164 ff.,  
177, 182 ff. ; v. 13, 34, 44 ff.,  
55 ff., 63, 84 ff., 95 ff., 105 ff.,  
114 ff., 122.
- Mary Stewart, iv. 96, 115, 166,  
182 ; v. 22, 34, 45, 48, 87, 139-  
218 *passim*, 221, 225.
- Maule, Thomas, iv. 197.
- Maximilian, ii. 37 ff.
- Maxwell, John, iii. 158, 161, 165,  
260 ; iv. 228.
- Maxwell, Lord (5th), iii. 144,  
156, 250 ; iv. 22, 39, 80, 108,  
132, 144, 154, 181, 183, 228 ;  
v. 16.
- Melrose, iii. 137, 144, 152 ff.,  
165-6, 250 ; iv. 228.
- Melville of Raith, ii. 196 ; iv. 201  
ff., 209, 248 ; v. 50.
- Menteith, William, i. 51.
- Merse, churches of the, v. 82.
- Methven, Paul, v. 95.
- Mirepoix, iv. 25.
- Monimail, i. 59.
- Montrose, Earl of (2nd), iv. 117,  
151, 154, 162 ; v. 214.
- Monymusk, iv. 250.
- Monypeny, Walter, i. 30, 37.
- Monypenny, Isobel, iv. 2, 60,  
221.
- Moray, Earl of (son of James IV.),  
i. 238, 240 ; ii. 94, 108, 134,  
171, 182 ; iii. 25, 60, 105, 138,  
155 ; iv. 8, 12, 20, 74, 77, 82,  
88, 92, 94, 100, 104, 148,  
154.
- Moray, Regent, v. 104, 107-8,  
118, 121, 140, 150, 155, 164,  
167, 170, 176, 181, 189, 204,  
210 ff., 224 ff.
- Moray, deanery of, iv. 239.
- More, Sir Thomas, iii. 164.
- Morton, Earl of (4th), v. 122,  
137, 150, 166, 170, 183, 241.
- Morton, Master of, iv. 144.
- Mukhartshyre, i. 144 ; iv. 229.
- Mure of Caldwell, iii. 59.
- Myll, Walter, v. 92 ff.
- Myn, Alexander, iii. 210, 237 ;  
iv. 227.
- Myn, Robert, iv. 189.
- Myrtoun, John, i. 36.
- Myrtoun, Thomas, ii. 253.
- Neville, George (York), i. 52.
- Newark Castle, ii. 186.
- Newbattle, iii. 259.
- Nicholas V., i. 15, 16, 33, 71, 96.
- Nice, Truce of, iv. 42.
- Noailles, v. 141.
- Norfolk, iii. 110, 115-8, 127-30 ;  
iv. 25, 38, 73-5 ; v. 225.
- North Berwick, priory of, i. 50.
- Northumberland, iii. 220, 226 ;  
iv. 16.
- Norway, i. 127.
- Nudre, Thomas, ii. 195.
- Ogilvy, Lord (4th), iv. 122, 133,  
156, 221.
- Ogilvy, James, ii. 89, 141, 146.
- Ogilvy, Mariot, iv. 13, 199, 205.
- Oliphant, Andrew, iv. 33, 43.
- Ormiston, Laird of, iv. 146, 192,  
213 ; v. 43.
- Orrock, Robert, ii. 196.
- Paget, iv. 68, 70.
- Paisley, i. 30 ; ii. 148 ; iii. 33 ;  
v. 74, 163, 219, 233 ff.
- Panther, David, v. 8, 13, 27, 33,  
56, 58, 145-53, 171, 199, 202,  
240.
- Panther, Patrick, i. 231, 235 ff. ;  
ii. 97, 139, 180.
- Parish church, erection of, iv.  
244.
- Pattonsoun, Archibald, i. 211.
- Paul II., i. 25-6, 29, 33, 39, 40,

- 42, 48-9, 73-5. III.—iii. 233, 239; iv. 23, 26, 31, 41, 56-78, 106, 141, 170, 221; v. 23 ff. Pavia, iii. 151.  
 "Pilgrimage of Grace," iv. 23.  
 Pittenweem, i. 29, 40, 42-3, 46-7, 95; ii. 12, 130 ff., 252; iii. 260.  
 Pius II., i. 21-2, 40-1, 49, 75, 116. IV.—v. 164. V.—v. 168, 173.  
 Pole, Cardinal, iv. 30, 38, 42, 166, 231.  
 Portmoak, i. 30.  
 Prelacies, appointments to, i. 128; ii. 175; iii. 14, 19, 22, 76, 233; v. 26.  
 Purves, Andrew, i. 112.  
 Ramsay of Clatty, iv. 10, 13.  
 Ramsay, James, i. 211.  
 Ramsay, Thomas, i. 191.  
 Ratcliffe, iii. 120 ff.  
 Rattray, David, i. 180.  
 Read, John, v. 191.  
 Restalrig, i. 132.  
 Restenot, i. 97, 159, 240 ff.; ii. 195; iii. 19.  
 Riccio, v. 165 ff.  
 Richard III., i. 101, 112.  
 Richardson, Robert, iv. 186.  
 Rinde, i. 34.  
 Roger, John, iv. 137, 229.  
 Roslin, i. 157; iii. 262.  
 Ross, church of, i. 62.  
 Ross, Lord (4th), v. 171.  
 Rothes, Earl of (4th)—iii. 197, 219; iv. 133, 155, 170, 214. (5th)—v. 214.  
 Roul, John, ii. 219, 252.  
 "Roundabout Raid," v. 164.  
 Russel, Jeremy, iv. 35.  
 Rutherford, heiresses of, ii. 19.  
 Ruthven, Lord (2nd)—iv. 134, 156; v. 31. (3rd)—v. 166. (4th)—v. 237.  
 Sadler, Ralph, iv. 46 ff., 55, 57, 93-132 *passim*; v. 113, 123.  
 St Andrews, see of, i. 1-11, 33, 35, 39; ii. 85; iii. 27, 55, 150, 212 ff., 238; iv. 40, 44, 172 ff.; v. 82, 247.  
 St Andrews Castle, iv. 113, 152; v. 31 ff., 167-8.  
 St Andrews, Dominicans at, i. 88; ii. 212; iii. 168.  
 St Andrews, Franciscans at, i. 41, 224.  
 St Andrews, Kirkcough, ii. 260.  
 St Andrews, Pedagogy of, i. 213, 255; ii. 242.  
 St Andrews, synod of, i. 156.  
 St Andrews, University of, i. 13 ff., 36, 60, 78, 81, 94, 151-3, 212, 254; ii. 32, 157-8, 207, 245; iii. 4, 24, 194; iv. 234-6.  
 St Andrews, St Leonard's, i. 192-3, 255 ff.; ii. 157-8; iii. 202; iv. 37.  
 St Andrews, St Mary's, iii. 240 ff.; iv. 36; v. 76.  
 St Andrews, St Salvator's, i. 16, 35 ff., 91, 131, 162, 233, 249 ff.; ii. 259.  
 St Andrews, William, prior of, i. 37.  
 St Andrews, Town Church, i. 88, 97, 162, 181; iii. 170; iv. 240.  
 St Antony's (Leith), ii. 265.  
 St Giles, Edinburgh, i. 34, 48; ii. 263; v. 117.  
 St Giles, feast of, v. 97.  
 St John the Evangelist, feast of, i. 18.  
 St Michael. *See* Indulgences.  
 St Monans, Dominicans at, i. 88; iv. 241.  
 St Palladius, i. 147, 163.  
 St Prosper's, abbot of, i. 51.  
 Sandilands, Sir John, v. 137.  
 Sauchy, John, ii. 76, 110, 197, 228.  
 Schevez, family of, i. 150.  
 Schevez, Henry, i. 77, 97, 111.  
 Schevez, John, i. 97.  
 Schevez, William, Archbishop: at St Andrews University, i. 81, 89; at Louvain, 82; court physician, 82; archdeacon of St Andrews, 84 ff.; provost of Crichton and dean of Dun-

- keld, 86; vicar-general and coadjutor, 87; archbishop, 88; the "Golden Charter," 95; and Albany, 102 ff.; to be sent to Rome, 113 ff.; debts to the Camera, 116; *legatus natus* and primate, 129; and James IV., 135 ff.; Glasgow archbishopric, 140 ff.; death, 146; his library, 147, 163; character, 148. Also i. 62-79, 181, 189.
- Schoriswood, George, i. 23.
- Scone, ii. 182; iv. 240.
- Scone, John, abbot of, i. 37.
- Scrymgeour, James, iii. 124; iv. 10.
- Seaton, Alexander, iii. 200.
- Sempill, Robert, Master of, v. 28-9.
- Sempill, William, Lord, v. 29, 107, 171, 219, 233-4.
- Sempill, Griassel, v. 53, 134, 244, 247.
- Session, Court of, iii. 216-237; iv. 57, 224.
- Seton, Lord (4th)—iv. 97, 102, 148. (5th)—v. 119, 199, 214.
- Shaw, George, i. 170.
- Shaw, Robert, iii. 150; v. 4.
- Shewill, Edward, iii. 259.
- Shrewsbury, iii. 91; iv. 159.
- Simpson, Duncan, iv. 34.
- Simpson, Sir John, iv. 97.
- Sinclair, Henry, iv. 221.
- Sinclair, Patrick, iii. 160, 168.
- Sixtus, IV., i. 43-60, 91, 96, 110, 114, 122.
- Somerset, v. 36, 38, 39, 49.
- Somerville, Lord (4th), iv. 85, 108, 132, 154, 158, 207; v. 16, 22.
- Somerville of Cambusnethan, iii. 71.
- Soulseat, i. 229.
- Spens, Hew, i. 167.
- Spens, Thomas (Aberdeen), i. 54.
- Spierinck, John, i. 82, 151.
- Solway Moss, iv. 77.
- Stewart, Alexander (brother of Albany), ii. 180, 182; iv. 5.
- Stewart, Alexander, Archbishop: birth, i. 219; childhood, 220; archdeacon, 221; in France, 223; archbishop, 227; Padua, 231 ff.; Dunfermline, 241; Coldingham, 244; chancellor, 245; Siena and Rome, 249; return, 249 ff.; St Leonard's, 254 ff.; death, 261; character, 264 ff. Also iii. 26, 31.
- Stewart, Andrew (Moray), i. 104 ff., 136, 155, 178.
- Stewart, Andrew (Caithness), ii. 87, 97.
- Stewart, Andrew (II. Caithness), ii. 87, 109, 198.
- Stewart, Henry (Lord Methven), iii. 129, 134, 155, 165, 168; iv. 249.
- Stewart, James, Archbishop: early life, i. 168 ff.; administrator, 184, 201; at Rome, 187; Holyrood, 191; Dunfermline, 193; Arbroath, 197; resigns Ross estates, 198; at marriage of James IV., 199; death, 204; character, 208. Also ii. 164.
- Stewart, James (son of James V.), iv. 227.
- Stewart, John (son of James V.), iv. 228.
- Stewart of Cardonald, iv. 129; v. 35.
- Stewart, Robert (Caithness), iv. 181, 232.
- Stewart, Walter, i. 79, 84.
- Stirling of Keir, iv. 13.
- Stirling, church of, iv. 241.
- Straton, David, iii. 209.
- Strick, v. 75.
- Stuerd, Balthazar, ii. 78, 90, 128.
- Sturmius, John, iv. 182.
- Suffolk, iv. 139; v. 14.
- "Summons, The Beggars," v. 101.
- Surrey, ii. 16, 22; iii. 99, 101.
- Sutherland, Earl of (11th), v. 197, 214.
- Sweden, iv. 71.
- Tannadice, i. 47; iii. 241.
- Tantallon, v. 18.

- Testament, New, iii. 174, 207 ;  
     iv. 53, 186 (and Old) ; v. 36.  
 Thornton, John, iii. 263 ; iv. 222,  
     246.  
 Todd, Sir Thomas, i. 175.  
 Torphichen, ii. 180 ; iii. 53.  
 Tour, Madeleine de la, ii. 182.  
 Tour, Mons. de la, iii. 171.  
 Trail, Walter (St Andrews), i.  
     67.  
 Trent, Council of, v. 148, 158.  
 Tulibeltane, iii. 16.  
 Tullibardine, Laird of, iv. 151 ;  
     v. 207, 208.  
 Tynnyngame, i. 47 ; iii. 241 ; iv.  
     37.  
 Urbino, Duke of, ii. 182.  
 Urquhart, Andrew, iv. 229.  
 Venetians, ii. 37 ff.  
 Wallace, Adam, v. 54.  
 Warbeck, Perkin, i. 177 ff. ; ii.  
     11.  
 Wark Castle, iii. 104.  
 Wauchope, Robert, iv. 49, 51, 56.  
 Weddell, John, ii. 156.  
 Wemyss, John, i. 213.  
 Wemyss, Laird of, v. 85.  
 Whithorn Priory, i. 229 ; ii. 176  
     ff.  
 Whitelaw, Archibald, i. 17.  
 Willock, v. 99.  
 Wilson, Stephen, v. 173.  
 Winchester of Kinglassie, v. 55.  
 Winchester, William, ii. 171,  
     196.  
 Wishart, iv. 145-6.  
 Wishart, George, iv. 185 ff., 203-  
     204.  
 Wolsey, Thomas, ii. 29 ff., 81,  
     150 ; iii. 61, 81-93, 102-191,  
     213.  
 Wygtoun, Sir John, iv. 70, 190,  
     229.  
 Wyly, Richard, i. 21, 22, 78.  
 Wynram, John, iv. 53, 70, 194 ;  
     v. 62.  
 Ycolmkill, ii. 236.  
 York, primacy of, i. 6, 52.





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